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Chair

The Honourable Larry Bagnell

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● (1535)

[*English*]

The Chair (Hon. Larry Bagnell (Yukon, Lib.)): I call the meeting to order.

Good afternoon. Welcome to the 123rd meeting of the Standing Committee on Procedure and House Affairs.

For members' information, today's meeting is being televised as we continue our study of Bill C-76, An Act to amend the Canada Elections Act and other Acts and to make certain consequential amendments.

We are pleased to be joined by the Honourable Karina Gould, Minister of Democratic Institutions. She is accompanied by officials from the Privy Council Office: Manon Paquet, Senior Policy Advisor, and Jean-François Morin, Senior Policy Advisor.

Thank you, Minister Gould, for coming back. I will turn the floor over to you for some opening remarks.

Hon. Karina Gould (Minister of Democratic Institutions): Thank you very much, Chair, and the committee, for inviting me here again. I am delighted to be back with my officials to look into BillC-76 before you start your clause-by-clause study of the legislation.

I'd like to thank you for your commitment to study Bill C-76, the elections modernization act. I truly appreciate the hard work you have already put into studying this pivotal piece of legislation, one that will, I believe, help strengthen our electoral laws and safeguard our future elections at the federal level here in Canada.

[*Translation*]

Our government is committed to strengthening Canada's democratic institutions and restoring Canadians' trust and participation in our democratic process.

[*English*]

I firmly believe that the strength of our democracy depends on the participation of as many Canadians as possible. I also firmly believe that the elections modernization act is the right piece of legislation to make our electoral process more accessible for all Canadians.

[*Translation*]

This bill will reduce the barriers to participation that Canadians currently face when voting or participating in the democratic process in general.

No Canadian should face barriers to voting, whether they live abroad, are in the Canadian Forces, are studying at university or are without a fixed address.

[*English*]

Reinstating the voter identification card as a proof of residency means making voting easier for more Canadians. Restoring the option of vouching for another eligible Canadian means making voting easier for more Canadians. Voting is a right, and it is our responsibility to make voting accessible to as many Canadians as possible.

[*Translation*]

Through Bill C-76, we are extending accommodation measures to include all people with disabilities, not just those with physical disabilities.

The bill will increase support and assistance to voters with disabilities at polling stations, regardless of their type of disability, and will provide them with the opportunity to vote at home.

[*English*]

Canadians with disabilities may also find it more difficult to participate in political campaigns because campaign materials in offices are not accessible. Bill C-76 will encourage political parties and candidates to accommodate electors with disabilities by creating a financial incentive through reimbursement of expenses related to accommodating measures. For example, this would include sign language interpretation during an event and making the format of material more accessible.

[*Translation*]

This bill also amends election expenses so that candidates with disabilities and candidates caring for a young family member who is ill or disabled find it easier to run for election.

The bill will allow candidates to use their own funds, in addition to campaign funds, to pay for disability-related expenses, child care costs or other relevant expenses related to home care or health care. These expenses will be reimbursed up to 90%.

[*English*]

Our Canadian Armed Forces members make tremendous sacrifices in protecting and defending our democracy. The elections modernization act will make it easier for our soldiers, sailors and air personnel to participate in our democracy. It allows our CAF members the same flexibility as other Canadians in choosing where to cast their ballot, whether it be to vote at regular polls where they reside in Canada, to vote abroad, to vote at advanced polls, or to vote in special military polls as they currently do.

[*Translation*]

Many of us have constituents in our ridings who have lived in Canada but who are currently living abroad. Whether they are there to work or study, Canadians living abroad should always have the opportunity to participate in our democratic process and to express themselves on issues that affect them.

[*English*]

Bill C-76 will remove the requirement that non-resident electors must have been residing outside Canada for fewer than five years. It will also remove the requirement that non-resident electors intend to return to Canada to resume residence in the future. This will extend voting rights to over one million Canadians who are living abroad.

[*Translation*]

As a federal government, it is our responsibility to make it easier and more convenient for Canadians to vote. This includes their experience during the voting process, whether it is at the advance polls or on election day.

[*English*]

The elections modernization act provides Canadians with more flexibility by increasing the hours of advance polls to 12-hour days. We will also streamline the intake procedures during regular and advance polls.

[*Translation*]

This bill will also expand the use of mobile polling stations on advance polling days and election day to better serve remote, isolated or low-density communities.

For Canadians to participate fully in their democratic right to vote, they must first know when, where and how to vote. Historically, Elections Canada has conducted various educational activities with Canadians as part of its election administration mandate.

[*English*]

In 2014, the previous government limited the Chief Electoral Officer's education mandate, removing the CEO's abilities to offer education programs to new Canadians and historically disenfranchised groups.

[*Translation*]

Our government believes that we should empower Canadians to vote and participate in our democracy. We believe that the Chief Electoral Officer should be able to communicate with all Canadians on how to exercise their democratic right.

[*English*]

This is not about partisanship. This is about providing electors with information related to the logistics of voting, such as where, when and how to cast a vote. We want Canadians to be ready for election day, no matter what political party they vote for.

This also means preparing first-time voters. The creation of a register of future electors will allow Canadian citizens between the ages of 14 and 17 to register with Elections Canada. When they turn 18, they will be automatically be added to the voters list.

[*Translation*]

While more young people voted in 2015 than in previous elections —57% of voters aged 18 to 24 voted—their rate of participation was still lower than that of older Canadians. In fact, 78% of voters aged 65 to 74 voted. This measure will encourage more young Canadians to participate in our democratic process.

● (1540)

[*English*]

As the Minister of Democratic Institutions, it is my responsibility to ensure we maintain the trust of Canadians in our democratic process. The elections modernization act will make it more difficult for election lawbreakers to evade punishment by strengthening the powers of the commissioner of Canada elections and offering a wider range of tools for enforcement.

[*Translation*]

By making the Commissioner of Canada Elections more independent and giving him new powers to enforce the Canada Elections Act and investigate violations, we will continue to work to ensure the strength and security of our democratic institutions.

[*English*]

The commissioner of Canada elections will be independent from the government, moving back to Elections Canada and reporting to Parliament though the Chief Electoral Officer rather than a senior member of cabinet.

[*Translation*]

He will also have new powers with the administrative option to impose monetary penalties for minor violations of the act related to election advertising, political financing, third-party expenses and minor voting violations. Most importantly, he will also have the power to lay charges without the prior approval of the director of public prosecutions and will be able to seek a court order to compel a witness to testify during an investigation of electoral offences.

[*English*]

Through budget 2018, the government allocated $7.1 million over five years, beginning in 2019, to support the work of the office of the commissioner of Canada elections. This funding will help ensure the Canadian electoral process continues to uphold the highest standards of democracy.

[*Translation*]

Many Canadians are concerned about the consequences and influence of money on our political process. With Bill C-76, we are ensuring that our electoral process is more transparent and fair. The bill creates a pre-election period beginning on June 30 of the year of the fixed-date election and ending with the issuance of the writ.

[*English*]

During the pre-election period, third parties will have a spending limit of approximately $1 million, adjusted to inflation, with a maximum of $10,000 per electoral district. This spending limit will include all partisan advertising, partisan activities and election surveys. During the election period, there will be a spending limit of approximately $500,000, and a maximum of $4,000 per electoral district in 2019.

This legislation will require third parties that spend more than $500 on partisan advertising and activities during the pre-writ and writ period to register with Elections Canada. Third parties will also be required to open a dedicated Canadian bank account and use identifying tag lines on all partisan advertising. These measures will ensure greater transparency and provide Canadians with more information with respect to who is trying to influence their decision.

[*Translation*]

The Government of Canada must ensure that our democratic institutions are modern, transparent and accessible to all Canadians. We are committed to maintaining and strengthening the confidence of Canadians in our democratic process.

[*English*]

Building on the recommendations of the Chief Electoral Officer and the work of this committee, the elections modernization act will improve Canadians' trust and confidence in Canada's electoral system.

I look forward to your questions.

The Chair: Thank you very much, Minister.

Welcome, Ms. Elizabeth May. I understand the Liberals are giving you a speaking slot later. Welcome to the committee.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): That is so nice.

Thank you, Chair.

The Chair: We'll start with Madame Lapointe.

[*Translation*]

You have seven minutes.

Ms. Linda Lapointe (Rivière-des-Mille-Îles, Lib.): Thank you very much, Mr. Chair.

I would like to welcome the minister and the people accompanying her.

The other day, the Chief Electoral Officer appeared before the committee. Following his testimony, I wondered something. As a result of the amendments proposed in Bill C-76, how many Canadians could exercise their right to vote outside the country? Has this already been identified?

Hon. Karina Gould: As a result of amendments in the bill, approximately 1 million Canadians would be able to vote outside the country.

Ms. Linda Lapointe: Does that also include both military and embassy personnel and expatriate Canadians working abroad?

Hon. Karina Gould: Yes, that's right.

Ms. Linda Lapointe: Like our colleague Mrs. Kusie, my brother worked in embassies, and did so for 20 years. I have also known expatriates. It wasn't easy to exercise your right to vote outside Canada.

How would Bill C-76 make it easier for these people to exercise their right to vote outside the country?

● (1545)

Hon. Karina Gould: I don't think the Canadian electoral process will change for people living outside the country. The same provisions will apply to identity verification. What will change is that these people won't have to come back to Canada. They won't be subject to the limit of not living outside the country for more than five years. Canadians who spend more than five years abroad will retain their right to vote abroad.

Two general elections were held while I was living outside the country. I exercised my right to vote from the United States and Mexico. There are always very strict rules to follow to ensure the integrity of the vote.

Ms. Linda Lapointe: I am pleased about this. Indeed, for everyone I've known, this situation was not simple.

I now have a more specific question to ask you. Since the introduction of Bill C-76, the Chief Electoral Officer has stated that the bill does not go far enough to prevent the transmission of misleading information. Should this bill be strengthened so that organizations and individuals do not intentionally mislead the public about elections?

As you know, there are many ways to make information questionable, unsound and non-transparent. What can we do about it?

Hon. Karina Gould: I think it would be difficult, in the context of this bill, to ensure the integrity of information that is disseminated to the public. In my opinion, it is not the role of government to tell Canadians what information is good and what is not.

For social media platforms, however, this bill proposes significant changes to increase the transparency of announcements and ads. This affects not only social media platforms, but all media. Indeed, we could know which people had certain intentions or wanted to influence people, how they voted or what they thought about a particular subject.

Ms. Linda Lapointe: So we could target both civil society and political parties, and check whether some want to disseminate misleading information.

Hon. Karina Gould: There are some planned amendments or parts of the bill that make misleading information illegal in some cases. Following the instructions of the Chief Electoral Officer, who appeared before this committee, we recommended that this be more specific, since he could have certain powers in this regard. We have also given more powers and tools to the Commissioner of Canada Elections, since he could conduct investigations. If individuals or organizations were to disseminate misleading information about how to vote or about a party candidate, and it could be proven that this did not comply with the rules, these individuals or organizations could be investigated and punished.

Ms. Linda Lapointe: You mentioned earlier that the bill proposed that the Chief Electoral Officer should have new powers to impose sanctions or even lay charges. Is that what you were referring to?

Hon. Karina Gould: I was talking about the elections commissioner. After the last election, the Chief Electoral Officer proposed amendments to simplify the application of the provisions. So we suggested amendments to strengthen the commissioner's powers to enforce the act.

Ms. Linda Lapointe: Do you think we should go further?

Hon. Karina Gould: We need to see how these new powers will work during the next election. I look forward to receiving the recommendations from the elections commissioner and the Chief Electoral Officer after the 2019 elections.

Ms. Linda Lapointe: How much time do I have left, Mr. Chair?

● (1550)

The Chair: You have 45 seconds.

Ms. Linda Lapointe: That's a bit short for asking a question.

You talked about accessibility for people with visual or hearing disabilities. The bill sets out measures to facilitate access for these people. Will they be able to be accompanied by the person of their choice?

Hon. Karina Gould: That's exactly it.

Several recommendations made by the Chief Electoral Officer stem from the committee on accessibility to the electoral process, which heard from people from all regions of Canada. This is a suggestion they made to us, and we listened to them in order to facilitate the vote and give them more dignity in the process.

Ms. Linda Lapointe: Thank you very much. In fact, it's heartbreaking sometimes.

[*English*]

The Chair: Now we will go to Ms. Kusie for seven minutes.

[*Translation*]

Mrs. Stephanie Kusie (Calgary Midnapore, CPC): Thank you, Mr. Chair.

Thank you for being here today, Madam Minister.

[*English*]

Professor Lori Turnbull, a former adviser in the PCO's democratic institutions unit, which supports you, appeared before the committee this spring and suggested creating segregated bank accounts and fundraising practices for third parties' political activities.

Why do you not support your former adviser's suggestion to implement this measure?

Hon. Karina Gould: In Bill C-76, we have actually proposed that third parties create a separate bank account for any activities with regard to funds that they intend to use for political activities in the pre-writ period and the writ period.

Mrs. Stephanie Kusie: Okay.

However, this is not created for all times, as you've indicated: It's specifically for the pre-writ and writ periods, and therefore not specifically demonstrating the origin of funds.

Hon. Karina Gould: Well that's also the case for political candidates as well.

When you ran for office, you opened a separate bank account as a political candidate that was separate from your riding association or from the political party, so it's in line with that practice.

Mrs. Stephanie Kusie: You are confirming that it's not for all times. Why would you say that you do not support disclosure at any time for any purpose?

Hon. Karina Gould: Could you repeat that?

Mrs. Stephanie Kusie: Why do you not support disclosure of expenditures at any time for any purpose?

With regard to the clauses in the bill, as it stands presently, it is not possible to entirely follow the inflow of money and the expenditure of money by these third parties at all times.

Why do you not support disclosure at any time for any purpose?

Hon. Karina Gould: I think it's important to clarify what exactly a third party is. Third parties are anything that are not political parties or candidates. That could be an individual or civil society; that could be any group or individual in Canada.

We believe it's important that it should only meet that threshold when that individual or organization will be conducting political or partisan activities in the lead-up to the campaign. Otherwise, I think that would be going too far into either people's personal lives or the activity of organizations that may not actually be participating in political activities.

However, what Bill C-76 does is to require that if a third party is intending to participate either during the pre-writ period or the writ period, they must disclose all donations received in the lead-up to that election.

Mrs. Stephanie Kusie: Thank you.

The Chief Electoral Officer asked specifically to have items in the bill related to anti-collusion, yet the measures and the amendments that were brought forward by the government deal only with third parties and not with all parties. Why is this?

Hon. Karina Gould: It's with regard to third parties and political parties, which we think is very important.

We also wanted to make sure.... For example, in the case of the New Democratic Party at the provincial level, if you remember, you're also a member at the federal level, and we didn't want to impede their ability to work as one party. We tried to understand the Canadian landscape of political parties in creating this. I think that's really important, but it is specifically there so you don't have a third party colluding with a political party for those objectives.

Mrs. Stephanie Kusie: In Bill C-76, you attempt to tackle foreign interference in Canadian elections. Let's take a hypothetical case of a foreign entity donating $1 million to a Canadian organization for administration costs, let's say. Then this organization, which had raised money for these costs, suddenly finds itself with this $1 million available to campaign in Canada.

Can you confirm that this type of foreign funding and interference will remain legal, despite Bill C-76?

● (1555)

Hon. Karina Gould: Within Bill C-76, there's a blanket ban on using foreign funding for partisan activities during the pre-writ or political period. There are anti-circumvention rules within Bill C-76 as well, to ensure that this is not the case; however, it's important to recognize that we strongly believe that Bill C-76 goes quite far with regard to doing our best to ensure there is no foreign funding either at the third party or political party level in Canada.

Mrs. Stephanie Kusie: Can you say with absolute certainty that you have done everything within your power as the Government of Canada to ensure that there is no foreign influence for Canadians, be it at the social media level or at the funding level?

Hon. Karina Gould: I think we should determine the difference between "foreign influence" versus "foreign interference". Foreign influences are things that could be overt—for example, a foreign government saying this is what they believe on a particular subject. That's within the rules of diplomacy.

Foreign interference would be the covert attempt to undermine Canadians' information or access to information, or understanding the results of the election. I believe that Bill C-76 does what's possible within the law to do our best to ensure that this does not happen; however, I think that what we've tried to do, and what I've tried to do with Bill C-76, is plan for the things that we know of and ensure that they're grounded in the values and the principles that are important for Canadians with regard to our elections.

However, there could always be something that happens in the future that we are unaware of, but I think that this is a very robust framework and grounding to do our best to protect Canadian elections from foreign interference.

Mrs. Stephanie Kusie: At the United Nations recently, your Prime Minister indicated that there was not much foreign influence or interference in the last election here in Canada.

In your opinion, how much is too much? Is "not much" too much? Do you feel that with Bill C-76 we will have no influence or interference entering the 2019 federal election?

Hon. Karina Gould: His comments were based on the Communications Security Establishment report that was released in June 2017, which was the first time that a signals intelligence agency, or any intelligence agency around the world, had publicly examined and released information on foreign interference in elections around the world. While low levels were seen, they were not seen to have interfered in the election itself; however, Bill C-76, and other actions that are being taken in collaboration with the political parties and the CSE are all done to prevent and prepare Canadians for what could be an eventuality in 2019, or it could not.

As I've said, I think this is a very robust framework and I think it prepares and sets up Canadians well for 2019, and that we can have confidence in both our intelligence and security agencies, and also in our elections administration to do what they can to protect Canadian democracy.

Mrs. Stephanie Kusie: Thank you, Minister.

The Chair: Thank you, Ms. Kusie.

Now we go to Mr. Cullen for seven minutes.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you, Chair. Thank you, Minister and your team, for being here.

I'm looking through the amendments that your government has moved to this bill and I'm considering the track that has taken us here. It has been 700 days since you introduced Bill C-33, which was the original effort to get rid of the unfair elections act. It's five months past the deadline that was set by Elections Canada to bring these changes to completion and into law. It more than two years after the broken promise to make 2015 the last election under the first-past-the-post system.

I'm surprised, because I thought there would be more in here on things that your government, and you personally, have claimed to support, and because you seem unsupportive of things that I think would help.

I think of the launch of the parliamentary session. The Prime Minister said to your caucus, "Add women. Change politics is how we will make a better country."

One of the Liberal fundraising ads said, "Canada needs more women from diverse backgrounds making decisions in Ottawa. Because when women succeed, we all succeed."

We have an amendment in here that is based upon a model that Ireland and other countries have used. In the case of Ireland, it increased the participation of women candidates by 90% and helped elect 40% more women to their parliament.

We're ranked 61st in the world right now, Minister. You know this, of course. The Parliament is 26% women, and at the current pace, as the Daughters of the Vote pointed out to the Prime Minister, it will take 90 years to get to equity in our legislature, yet you're planning to vote against an amendment to get us there, an amendment as has been applied in other democracies.

Did you get the IT alert that I received just recently from our IT service department here in Ottawa? It just happened a couple of hours ago. It was an IT alert for a Facebook data breach. You commissioned a report, which was delivered to you by the CSE, and I'm quoting from that report. It said:

> ...almost certainly, political parties and politicians, and the media are more vulnerable to cyber threats and related influence operations....

The Privacy Commissioner has said that one of the ways to counter those threats to our democracy is to include political parties under privacy rules. The British Columbia Civil Liberties Association just wrote to you and said that the provisions on privacy are so inadequate as to be meaningless, and the current Privacy Commissioner has said that Bill C-76—this bill—has "nothing of substance" when it comes to privacy.

British Columbia has existed under these privacy rules for 15 years. Parties have been able to communicate effectively with voters. Europe has had it for 20 years, and they've been effectively able to communicate with their voters.

We're proposing Sunday voting, which the former Chief Electoral Officer has promoted. In other democracies, it has increased voter participation by 6% to 7%.

I guess what I find confusing about all of this is that I'm trying to match the words and the rhetoric of your government with your actions when we now have an opportunity to do something about it. You've been in office for three years. Here's an opportunity to deal with the rules that guide us as politicians, that guide the electoral process. I would think that one of your fundamental mandates would be to increase the participation of women and diverse voices, yet your party has chosen to protect all incumbents, thereby ensuring the status quo. The status quo should be unacceptable to everybody.

When we have amendments that would help more women become candidates, help more women and diverse voices actually get elected, you want to vote against them. We see the cyber-threats and the cybersecurity issues that your own agency identified after your request to investigate, but this bill has nothing in it to increase protection of data and privacy.

When the current Chief Electoral Officer was here testifying, we asked him what he knew about what the parties gather in terms of the data on Canadians, and he said, "I have no idea." Your report says that we, as political parties, are vulnerable to attacks and that Canada as a country is susceptible to these attacks. Having watched Brexit, having watched the U.S. elections, we have important and very recent examples of the reasons to strengthen privacy laws, but this bill has nothing in it.

Seven hundred days after introducing the first iteration of this bill, five months after passing over the deadline set by Elections Canada to get us to this place so we can introduce these changes, and after having made so many promises to women and diverse groups to do better, we're offering opportunities to do better through amendments, based on evidence that is in front of us.

● (1600)

Your government claims to be evidence-based. We are using evidence to improve the things that your government and your party claim to want to improve, and you're choosing not to do them. My question is, why?

Hon. Karina Gould: How much time do I have left?

The Chair: You have two minutes.

Hon. Karina Gould: Okay, thanks.

Thank you for all of your comments and your question.

With regard to cybersecurity, I think there are many things in this bill that are working to improve cybersecurity for Canadians and improve our democracy.

The other thing I want to note is that the Communications Security Establishment has reached out to political parties and is engaging with them to ensure that they have the best practices in place, and it is available to provide advice on an ongoing basis.

Mr. Nathan Cullen: There's nothing that requires that. All your bill says is that parties have to post the policy somewhere on their website, and there are no consequences if they fail to keep the data safe.

Hon. Karina Gould: There are a couple of points with regard to that. This is the first time we are requiring in legislation that political parties post a public privacy policy. I would note that after this bill was introduced, the New Democratic Party, for example, updated their privacy policy, which had been quite out of date. I think you can see that is a real, tangible step in the right—

● (1605)

Mr. Nathan Cullen: That's enough?

Hon. Karina Gould: —direction. There are strong consequences if parties do not do that, in the sense that they will be deregistered as a political party—

Mr. Nathan Cullen: All they have to do is post the policy.

Hon. Karina Gould: On the other hand, there is also a requirement for political parties not to mislead Elections Canada, and that would come with very strong repercussions. We are empowering the commissioner of Canada elections, if a complaint is made, to be able to do that investigation.

I think these are really positive first steps and I would encourage the committee, if this is an issue they think is of importance, to study it more deeply and more broadly.

Mr. Nathan Cullen: You are not accepting efforts to help more women and diversities get elected. Why not?

Hon. Karina Gould: In this legislation, I'm very proud of the fact that with regard to child care and other care provisions for candidates, we will now be reimbursing that at up to 90% if this legislation is passed, and it will be outside of the total spend that candidates are allowed with regard to the election period. This is really important, because if it was within the spend limit, it would result in, for someone who has care costs for a family member, including a sick family member, a decrease in their competitiveness with others who may not have those costs, and they can also be reimbursed at a higher level.

There are some practical things in here that I think will encourage people of greater diversity to run.

Mr. Nathan Cullen: So being able to—

Hon. Karina Gould: I also think that all of us here in this room as leaders should be doing our part to encourage women to participate —

Mr. Nathan Cullen: Maybe protecting incumbents wasn't such a good idea.

Hon. Karina Gould: —and our government has also recently announced $4.5 million for the Daughters of the Vote, as well as support for Equal Voice, and is really working to encourage and increase diverse participation.

The Chair: Thank you, Minister.

Now we'll go on to Ms. Sahota for seven minutes.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, Mr. Chair.

Some of those incumbents include women, Mr. Cullen, so you could have things go the other way around.

Anyway, I also have some questions regarding Facebook, Google, Twitter, and other social media, which have become very common for use in advertising for political purposes and during campaigns as well.

Currently they keep records of advertisements, but when that advertisement is old and no longer available, you no longer can see any record of the advertising. Do you think when it comes to political advertising that there should be better recording? How should that recording be made available? Should it be made available to the Chief Electoral Officer or made available publicly? What are your thoughts on that?

Hon. Karina Gould: Absolutely, it should be made available to both the Chief Electoral Officer and to the Canadian public, because I think as we've seen in jurisdictions around the world and within their electoral experiences, one of the key ways that foreign actors have attempted to interfere in the electoral process is specifically with regard to not disclosing that they are in fact the ones who are purchasing advertising on social media platforms. I think a stronger transparency regime with regard to advertising on social media, but also on media more broadly, is also very important.

I think it's really important for this registry to be available for a period of time following the election as well, so that if there are questions or complaints, there is a public registry where people can go look and where the commissioner can also take a look at what was advertised and how it was advertised.

Ms. Ruby Sahota: Do you have any suggestions on what that period of time should be?

Hon. Karina Gould: I think it should be for two to five years, because we would want to be able to go through an entire parliamentary process.

Ms. Ruby Sahota: Okay.

Going back to some of the third party spending and foreign money coming in for third party spending here, especially when it comes to social media platforms—I know this question was raised, but it was in a little bit of a different way—even outside the writ period or the election period, if a foreign actor is spending for political advertising but maybe not during the writ or the pre-writ period, should that still be captured somehow?

● (1610)

Hon. Karina Gould: This legislation would only deal with the writ and the pre-writ period, but I do think that more information is always better, and transparency is always the right policy to pursue. I think there are often times when Canadians may think they are getting information from a domestic actor when in fact it could very well be coming from a foreign source, so I think there is an onus on social media platforms to disclose that information, because it contributes to the domestic dialogue.

Ms. Ruby Sahota: But you don't feel that it's the place of this legislation or the Chief Electoral Officer—

Hon. Karina Gould: This is the first time we'll be putting a pre-writ period into practice, should this legislation pass—which I sincerely hope it does—and I think we would then have evidence to determine how that took place during the pre-writ and the writ period and would provide further evidence for this committee or parliamentarians or Canadians or Elections Canada to make further recommendations as to what else would need to be done. However, it should be noted that foreign funding is banned at all times for anything that has to do with partisan process.

Ms. Ruby Sahota: Okay.

During the CEO's testimony at committee, the commissioner of Canada elections said that there are challenges of enforcement in the provisions of Bill C-76 to prohibit organizations or individuals from selling ad space to any foreign entity. Ensuring enforceability is obviously key to keeping foreign actors outside of Canadian elections. Do you agree, and if so, do you feel the bill should be amended to include this aspect?

Hon. Karina Gould: Yes.

Ms. Ruby Sahota: Okay.

Building on that, there was also another suggestion by the CEO that when anyone enters the database or the computer system, whether it is with intent or without intent, the bill should capture it either way and then be able to enforce against those actors. Whether they knowingly wanted to affect the outcome of the election or not, just being in that space alone should be a violation.

I have heard arguments on both sides about whether we can go that far and remove intent from the actor. I know that our act coincides with the Criminal Code as well.

Can I get a little bit more direction on how the two acts, the Criminal Code and this piece of legislation, would act together and whether it is possible to remove the intent portion?

Hon. Karina Gould: If you don't mind, I'm going to turn it over to Jean-François to answer.

Mr. Jean-François Morin (Senior Policy Advisor, Privy Council Office): Thank you very much for your question.

Yes, there is an amendment that has been proposed to partially implement the Chief Electoral Officer's recommendation. This amendment would actually make it also an offence to attempt to do anything that is currently in Bill C-76, but always with the intent to affect the election. This new provision in Bill C-76 mirrors an existing provision of the Criminal Code, so in Bill C-76 the provision about malicious use of a computer includes two intent requirements: one specific intent requirement related to the election, and one more general intent requirement that is only related to fraud.

In parallel to that, the Criminal Code provision will continue to apply, and of course the Criminal Code provision doesn't have that specificity about federal elections.

Therefore, yes, definitely the commissioner of Canada elections will be able to investigate this offence in the Canada Elections Act, but if he finds that all essential elements of the offence are met except for the one related to the electoral context, he can also turn to another investigative body and ask that charges be laid under the Criminal Code.

● (1615)

The Chair: Thank you.

Thank you very much, Ms. Sahota.

Now we'll go back to Ms. Kusie for five minutes.

Mrs. Stephanie Kusie: Thank you, Mr. Chair.

Minister, my apologies: I didn't complete my comment thanking you for being here today, so thank you for being here today.

Minister, normally during an election there are severe limits on activities that the government can undertake at the same time that there are stringent limits on election activities. Bill C-76 extends the time period during which political parties and third parties are subject to strict rules, so it stands to reason that there will be some reasonable limits on government activity during the same period. You've already announced a ban on most government advertising in the 90 days prior to the fixed election date; can you commit to extending this ban to include the entire pre-writ period?

Hon. Karina Gould: Yes.

Mrs. Stephanie Kusie: Thank you.

Will your government also ensure that major announcements, particularly spending announcements, cannot be made during the pre-writ period?

Hon. Karina Gould: If it's outside the government advertising policy, then government activity will continue as normal, as with all activity of members of Parliament.

Mrs. Stephanie Kusie: Thank you.

Will your government ensure that government resources are not used to pay for campaign-style events—for example, town halls featuring the Prime Minister or other ministers, public consultations featuring elected politicians as opposed to public servants, or other publicly televised or streamed events during the pre-writ period?

Hon. Karina Gould: As I said, any activity that would take place by the government normally would continue during that period, as is the case with all members of Parliament and the House.

Mrs. Stephanie Kusie: Will your government ensure that government departments cannot release public opinion research, reports, or other documents that may influence public opinion, except those of course required by law during the pre-writ period?

Hon. Karina Gould: As I've said, normal government activity will continue until the writ period.

Mrs. Stephanie Kusie: Will your government ensure that no major announcements about policy intentions or budget projections can be made during the pre-writ period?

Hon. Karina Gould: Normal government activity will continue during the pre-writ period.

Mrs. Stephanie Kusie: That concludes my questions, Mr. Chairman. Thank you very much.

The Chair: Are there any other Conservatives? Two and a half minutes are left.

Mr. John Nater (Perth—Wellington, CPC): Thank you, Mr. Chair.

I want to go back to the original question asked in the first round by Ms. Kusie regarding the segregated bank accounts.

You threw back that we know well, as candidates, that we open our own campaign bank account during the writ period, and that's true; we as politicians do open our bank accounts, but the fact is that our riding associations cannot receive foreign funding at all.

I'm going back to the recommendation made by Professor Turnbull, a former adviser to your department, who recommended that there be a segregated bank account for a third party wherein all that information can be tracked, including where those donations came from through the entire period leading up to a pre-writ and a writ period. Why is it that you don't support what I would think is a common sense approach by your former adviser to segregate those bank accounts to ensure that there is absolutely no chance, and verifiably no chance, that foreign funding is being used in those situations?

Hon. Karina Gould: Again, Bill C-76 does require third parties that intend to spend or that have spent up to $500 on advertising to open a bank account and to disclose any money that's going into it and where all the money came from. I think this is a reasonable provision to ensure the integrity of where and how they are using their money.

Mr. John Nater: Again, I would only point out that by not having a separate segregated bank account for the entire duration when that money flows in, there's nothing preventing foreign funding from commingling in another bank account and being transferred to that bank account for the writ and pre-writ period.

Hon. Karina Gould: In Bill C-76 they have to account for where the money comes from and they also have to attest that there is no foreign funding in that bank account. If they do not do that, then they would be breaking the law if Bill C-76 passes. I think that is substantial.

Mr. John Nater: Again I would only point out as well that this can only happen after the fact. I'll leave it at that.

Going back to the question just asked by Ms. Kusie about ministerial and parliamentary travel, in this bill you're limiting what an opposition party can do during the pre-writ period, but at the same time you're not limiting what a government can do. I know you said "normal government activity", but normal government activity often mirrors—

● (1620)

Hon. Karina Gould: You're conflating partisan activity with the work of members of Parliament, and those are two separate things.

Mr. John Nater: So campaign-style—

Hon. Karina Gould: Political parties will have a fair and level playing field with regard to the activities. It's only with regard to partisan advertising. Members of Parliament, regardless of what political party they are in, will be able to carry out their normal activities and duties as required by their position.

The Chair: Thank you.

Now we'll go on to Ms. May. Welcome to the committee.

Ms. Elizabeth May: Thank you again.

I want to thank Mr. Bittle, who gave me his slot. It was very kind of you.

Thank you, Minister. The last time you were here relates to one of my questions, which was a discussion of what we would do about leaders' debates.

I just thought I'd take the opportunity to say that I am supportive of the bill. The way I see it, it's a vast improvement on the current state of affairs. It really matters to get it passed before we go back to the polls in fall 2019.

However, I do see—and I agree with my colleague Mr. Cullen—that there are a number of lost opportunities here. It didn't accomplish what it could have done in a number of areas.

My overarching question is, first, how willing are you and this government to accept any of the amendments that are being put forward with the goal of improving those areas where your government, and you personally, are on the record as wanting to see more?

Hon. Karina Gould: It's good to see you here as well. It's always nice to have you at committee or elsewhere.

As I have stated publicly before, we are willing to entertain amendments. Of course, it depends on what the amendment is and whether it's within the scope that we're willing to move forward on. However, there are a number of amendments that have been presented that I think can be accepted.

Ms. Elizabeth May: May I ask you specifically about the privacy piece, which is one that is worrying me? As a matter of fact, when the Conservatives' Bill C-23 was before this committee in the 41st Parliament, I put forward an amendment that political parties would not be exempt from the Privacy Act.

My amendment in this case is more specific to the Personal Information Protection and Electronic Documents Act, PIPEDA. This would be much more effective, I think everyone would agree, than each party coming up with its own privacy plan and tabling it.

Can you give me a sense—and I know this is highly specific—of whether there is any willingness to entertain this amendment, and if not, why not?

Hon. Karina Gould: I would like to see a broader study of privacy in political parties. I think it's really important. This legislation is strongly based on the recommendations that PROC put forward over the course of 2016 and 2017, and with regard to privacy there was not unanimity with regard to what we should do moving forward. I think it does require a deeper dive.

I think that political parties do play an essential role in terms of engaging Canadians in the political process, and I think it would be worthwhile to understand how we could apply a privacy framework in a way that enables parties to continue to do that work and engage with Canadians, but also to ensure that we're doing more with regard to privacy.

Ms. Elizabeth May: Thank you.

The first amendment I have up is actually the first amendment in the whole package, and I just wondered if I could get your reaction. There is currently, as you know, a quite public controversy in Quebec between one of Quebec's leading environmental groups, Équiterre, and the view taken by the Quebec election officials as to what is election advertising and what isn't.

In my former life as executive director of the Sierra Club of Canada, there was a new information bulletin put forward by CRA in the 2006 election that made some groups think, "We can't even publish surveys. We can't say that this is where the Conservatives stand, this is where the Liberals stand, and this is where the NDP stand, and take your pick." The elections advertising clarification that I am putting forward would ensure that we distinguish between partisan activities and public information activities. I'm wondering if you have any views of whether the amendment I have put forward might be acceptable to the government.

Hon. Karina Gould: I think I would need to take a further look at it. However, one thing that should be noted is that during the pre-writ period, measures in Bill C-76 are only with regard to partisan-related activity. In the current Canada Elections Act, as has been the case for a long time, in the writ period it's any advertising, so there is no distinction between partisan and issue advertising. I think that distinction, in fact, is important to maintain, because as the Supreme Court has illustrated in times past, particularly in Harper v. Canada, the supremacy of the voice needs to be with political parties and political actors during the writ period. I think that is an important distinction to maintain.

● (1625)

Ms. Elizabeth May: Your colleague has a point there.

Mr. Jean-François Morin: I may also add, Ms. May, that the third party intervention regime in the province of Quebec is quite different. At the federal level, anybody can be a third party and there are spending limits, but in Quebec, I think only individuals may intervene, and they can only spend a maximum of $200 or $300. It's much more limited than at the federal level.

Ms. Elizabeth May: Thank you.

Let me try to fit in one quick last question.

The Chair: Make it really quick.

Ms. Elizabeth May: We had been discussing a commissioner of leaders' debates, and that's not been brought forward. Do you anticipate the 2019 election will, therefore, be run by the consortium in the fashion that it had been since the 1960s, or are any further changes proposed?

Hon. Karina Gould: There will be further changes. I do have an intent to ensure that in 2019 there will be a debates commission and commissioner. I will look forward to discussing this with you shortly.

Ms. Elizabeth May: Thank you.

The Chair: Thank you both.

Now we'll go back to Mr. Nater.

Mr. John Nater: Will there be legislation brought forward for that commission?

Hon. Karina Gould: No.

Mr. John Nater: Why not?

Hon. Karina Gould: It's October 2018, and I will be drawing strongly on the recommendations in the report from the Procedure and House Affairs committee.

Mr. John Nater: You're not going to introduce legislation this late in the game for a commission, yet you're going to introduce legislation this late in the game for a massive overhaul of the electoral system.

Hon. Karina Gould: This legislation was actually introduced in the spring, and we're here today because of a filibuster, so....

Mr. John Nater: It was introduced on the date by which the Chief Electoral Officer stated that he needed the legislation fully passed, after leaving Bill C-33 unmoved and unloved at second reading during that period of time—

Hon. Karina Gould: This study could have started much earlier.

Mr. John Nater: I want to go back to a comment that was made by our provincial chief electoral officer about the value of third party advertising.

He actually recommended potentially going with any spending being considered third party spending and needing to register. Do you agree with that?

Hon. Karina Gould: In the legislation, I think it is important to have a reasonable threshold. As my colleague Mr. Morin has noted, at the federal level any individual or organization is considered to be a third party during an election, and I think that $500 is a reasonable amount to have as a ceiling to be able to report. We have to remember that there are fairly onerous reporting requirements on third parties, and you'd want to have a certain dollar amount that could have a substantial impact on how Canadians are understanding the information that's coming at them. I think $500 is reasonable.

Mr. John Nater: His contention was that it's much easier to see spending, period, than a funny $500 amount, which when you are looking at online digital sales, is tough to see. I'll leave that there.

With regard to a register of future voters, the provincial example was a minuscule number of people on the register of future voters. How do you foresee there being more people on the federal register?

Hon. Karina Gould: I think there will be. I think Canadians will be excited about it. We are very excited about getting Canadians on the future electors list. It's about encouraging more young people to participate, so I am hopeful that it will be one additional step in seeing a higher youth voter turnout.

Additionally, Bill C-76 also returns the mandate of the CEO of Elections Canada to be able to inform and educate the public about voting. Should Bill C-76 pass, I am sure that we will see much more engagement by the CEO of Elections Canada for voters at all age levels and for everyone who is intending to participate in our elections, which I think will be very positive.

Mr. John Nater: Would you support an explicit amendment from the Conservatives to ban the sharing of that information with political parties?

Hon. Karina Gould: It would already be outside the mandate of Elections Canada to share that information.

Mr. John Nater: Would you support an amendment to explicitly state that?

Hon. Karina Gould: What's important to recall is that Elections Canada only shares the register of electors, and the future electors do not end up on the electors list until they are 18, so that would not be necessary.

Mr. John Nater: Am I hearing that you won't explicitly state that in legislation?

Hon. Karina Gould: It would be unnecessary to do so.

The Chair: Thank you.

Does anyone have one quick question without a long preamble—first come, first served?

Go ahead, Elizabeth.

● (1630)

Ms. Elizabeth May: Minister, when do you anticipate we will see the rules for the leaders' debates?

Hon. Karina Gould: Soon.

The Chair: Mr. Cullen, you can have your short question.

Mr. Nathan Cullen: Thanks, Chair.

The specific question is this: Can you point to a measure in here that will make good the claim of wanting to increase the diversity of voices, particularly women's voices, in future parliaments?

Hon. Karina Gould: The amendment I was discussing with regard to care expenses is very important, because it will enable people who may have thought they couldn't run for office to put their names forward as candidates.

Mr. Nathan Cullen: Specifically, is that for the pre-writ period or just during the 35 days, typically, of the election itself?

Hon. Karina Gould: It's for the writ period, because the pre-writ period would not be reimbursable.

Mr. Nathan Cullen: Right, so the measure you're pointing to is 35 days of being able to use fundraised money for child care?

Hon. Karina Gould: It could be 50, but it's really important, because that's the time you are working full time on this and need access to those services.

Mr. Nathan Cullen: The only reason I ask is that in all the surveys of candidates coming forward, women talk about the nomination process as being much more difficult than the actual writ period itself in terms of family obligations. The one measure you point to isn't aimed at what women point to as the most significant barrier.

I really encourage my colleagues to consider measures that have worked in other jurisdictions to elect more women, which are generally connected back to the reimbursements we give back to parties. That's the amendment we're moving. If we want it, let's walk the talk.

The Chair: Thank you, Minister, for coming. It's a great way to start out our clause-by-clause study today, and we look forward to reporting back to you.

Hon. Karina Gould: Yes. Thank you for having me.

The Chair: We'll suspend so that people can get their notes ready for clause-by-clause consideration.

● _____ (Pause) _____ ●

● (1645)

The Chair: Good afternoon, and welcome back to the 123rd meeting of the Standing Committee on Procedure and House Affairs.

This afternoon we'll begin clause-by-clause consideration of Bill C-76, an act to amend the Canada Elections Act and other acts and to make certain consequential amendments.

I would like to again note the presence of the officials from the Privy Council Office: Manon Paquet, Senior Policy Advisor, and Jean-François Morin, Senior Policy Advisor. They will attend our meetings to provide assistance to the committee should members have questions about the bill. Thank you both for being here.

Before we begin, I would like provide members with some general information about how we will proceed with clause-by-clause consideration of the bill.

The committee will consider each of the clauses in the order in which they appear in the bill. Once I have called a clause, it is subject to debate and vote.

If there are amendments to the clause in question, I will recognize the member proposing the amendment, who will explain it in around a minute or so. The amendment will then be open for debate. When no further members wish to intervene, the amendment will be voted on.

I would like to remind members to ensure that clause-by-clause consideration proceeds in an efficient, orderly fashion.

I may limit debate to five minutes per party per clause. As I said earlier, I'll be flexible as long as people don't spend a lot of time on minor clauses where things are obvious, etc. If I do enforce the five minutes, it's per clause, not per amendment. There is the odd clause that has 10 or 20 amendments, but there are still only five minutes, so keep—

Yes?

● (1650)

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): You said you "may", so I'm assuming that you'll show greater generosity on many, particularly if it's obvious that we're not simply trying to use up time.

The Chair: Yes.

Mr. Scott Reid: Okay, thank you.

The Chair: I will, however, endeavour to use my discretion as chair to allow as much debate as may be deemed necessary, provided that members are judicious in their use of time.

Amendments will be considered in the order in which they appear in the package that each member received from the clerk. If there are amendments that are consequential to each other, they will be voted on together.

In addition to having to be properly drafted in a legal sense, amendments must also be procedurally admissible. The chair may be called upon to rule amendments inadmissible if they go beyond the principle of the bill or beyond the scope of the bill, both of which were adopted by the House when it agreed to the bill at second reading, or if they offend the financial prerogative of the Crown.

If you wish to eliminate a clause of the bill altogether, the proper course of action is to vote against that clause when the time comes, not to move an amendment to delete it.

If during the process the committee decides not to vote on a clause, that clause can be put aside by the committee, so that we revisit it later in the process.

Amendments have been given a number, found on the top right corner, to indicate which party submitted them. There is no need for a seconder to move an amendment. Once an amendment is moved, unanimous consent is required to withdraw it.

While I'm on the subject of amendments, I would like to remind members that the committee has already agreed to amend clause 262 by replacing line 32 on page 153 with the following: "election period is $1,400,000." That means we can't amend that clause any more.

If the committee has not completed clause-by-clause consideration of the bill by 1:00 p.m. Friday, all remaining amendments submitted to the committee will be deemed moved, the question put forthwith and successively without further debate on all remaining clauses and proposed amendments, as well as each and every question necessary to dispose of the committee stage of the bill.

The committee's report to the House will contain only the text of any amendments that were adopted, as well as an indication of any clauses that were deleted.

I thank the members for their attention.

We will now proceed to clause-by-clause consideration.

Mr. Nathan Cullen: I have just a technical question, Chair, before we start. It's a question through you to our guests.

First of all, thank you for being here and being willing to spend some...I don't know about "willing", but you're going to spend some time with us.

Procedurally, I've dealt with other legislation, and we usually have witnesses from the minister's office as well. Is Privy Council handling all of this, or are there technical advisers from Minister Gould's office who will be made available to the committee as we go through some of these amendments?

That's through you to our—

The Chair: The PCO is mostly Minister Gould's office. It's sort of the—

Mr. Nathan Cullen: The PCO is Minister Gould's office? Is that the structure here?

The Chair: That's where most of this work is. It's sort of different from other bills.

Mr. Jean-François Morin: No, we're from the democratic institutions group at PCO, so we're public servants. We will very likely inform you on technical questions related to the bill, but we cannot answer questions that relate to policy.

Mr. Nathan Cullen: No, of course.

I missed what you said. You're from which department of the PCO?

Mr. Jean-François Morin: We're from the democratic institutions group within the Privy Council Office.

Mr. Nathan Cullen: It's the democratic institutions group within the PCO.

Mr. Jean-François Morin: Yes.

Mr. Nathan Cullen: Then my question—again through you, Chair—is about there not being somebody from Minister Gould's office.

You're answering technical questions. My assumption is, then, that the bill was also designed within the—forgive me—democratic institutions department of the PCO. We're going to run through hundreds of amendments. I just want to know, before the committee launches into this, who we need to ask. Is there anybody else to ask?

If the bill was designed within the PCO, then great; let's roll. If the bill was designed in the minister's office, then I suspect we're concerned about bumps along the road when we're asking about things that you weren't involved in. Is my first assumption correct?

Mr. Jean-François Morin: No, it was designed within our group.

● (1655)

Mr. Nathan Cullen: It was designed within your group.

Okay, that's all I needed to know, Chair. Thank you.

The Chair: Okay. Thank you.

Pursuant to Standing Order 75(1), the short title is postponed.

(On clause 2)

The Chair: The chair calls clause 2, and we have Green Party amendment 1.

Do you want to speak to that?

Ms. Elizabeth May: Yes. Thank you, Mr. Chair.

I will very briefly put on the record—

Mrs. Stephanie Kusie: Mr. Chair, pardon me; before we begin, I had a point of order, please.

The Chair: Oh, sorry.

Mrs. Stephanie Kusie: My apologies, and my apologies to you, Ms. May.

Before we begin our extensive clause-by-clause consideration of Bill C-76, I want to give the courtesy of a heads-up to my colleagues about some additional Conservative amendments.

There are approximately 21 amendments that were drafted by legislative counsel between June and September, but for one reason or another, and maybe several, they did not not make it into the package that was circulated on October 2.

Mr. Chair, we intend to move each of these amendments from the floor at the appropriate point in our proceedings, but to ensure colleagues have the advantage of advance review, I'm happy to circulate copies of the amendments now.

These amendments are in both official languages and are in the manner and form produced by the law clerk's office.

Before members get worried that we may be unleashing a number of new issues, I should point out that most of the amendments in this supplementary package actually complement the existing amendments that have been previously circulated. In fact, I believe there are fewer than a handful of amendments that are not connected or related to amendments that have already been circulated.

To assist you, Mr. Chair and our clerks, with identifying where these amendments will be moved, considering line positions and so forth, I can advise that the first amendment for clause 2 will be moved before amendment PV-1 and the other amendment for clause 2 will be moved after amendment PV-1.

There is an amendment for clause 37 to be moved after amendment Liberal-2.

There is an amendment for clause 45.

There is an amendment for clause 70, to be moved after amendment Liberal-5.

There is an amendment for clause 102.

There is an amendment for clause 122, to be moved after amendment CPC-49.

There is an amendment for a new clause, clause 155.1.

There is an amendment for clause 191, to be moved before amendment CPC-69.

The first amendment for clause 223 will be moved after amendment CPC-88. The other amendment for clause 223 will be moved after amendment CPC-92.

There is an amendment for clause 225, to be moved after amendment CPC-101.1.

The first amendment for clause 234 will be moved after the amendment CPC-113. The other amendment for clause 234 will be moved after amendment CPC-114.

There is an amendment for clause 235.

There are two amendments for a new clause, 252.1.

There is an amendment for clause 326.

There is an amendment for clause 357, to be moved after amendment Liberal-60.

There is an amendment for a new clause, 365.1

Finally, there is an amendment for clause 377.

Thank you, Mr. Chair.

The Chair: Thank you.

I think that will keep our legislative counsel busy.

Mr. Chris Bittle (St. Catharines, Lib.): That was almost as fast as David. I'm impressed.

Mrs. Stephanie Kusie: I tried to be more expressive than Bardish. That's a joke.

Voices: Oh, oh!

The Chair: Ms. Kusie, you said you were going to move your first amendment now?

Mrs. Stephanie Kusie: Yes. The first amendment will be moved before amendment PV-1.

The first amendment, entitled CPC-10008563, is:

> That Bill C-76, in Clause 2, be amended by adding after line 25 on page 2 the following:
>
> (e.1) the ballot reconciliation reports prepared under section 283.1;

Mr. Chris Bittle: I have a point of order, Mr. Chair.

The Chair: Yes.

Mr. Chris Bittle: Mr. Chair, is this amendment related to clause 2?

The Chair: Yes.

Mr. Chris Bittle: Is PV-1 related to clause 1?

The Chair: No, it's related to clause 2.

Mr. Chris Bittle: My apologies. I'll keep up next time.

The Chair: Okay.

Could you briefly explain the intent of your amendment?

Mrs. Stephanie Kusie: Sure. It relates to the inverted polling division/polling station relationship, and adds a ballot reconciliation requirement where multiple polls are at one polling station.

● (1700)

The Chair: Is there any discussion?

Mr. Nathan Cullen: To the mover, can you repeat the argument for this particular one, whatever we're calling this amendment? Are we going to call this CPC-1, or 10008563?

The Chair: It would be minus one, because we already have CPC-1.

Mr. Nathan Cullen: Can we just have the argument for this amendment? Referring back to the legislation, it is difficult to know what section 283.1 within the bill is and what this amendment would do.

The Chair: Mrs. Kusie, there is a request that you explain the amendment again.

Mrs. Stephanie Kusie: Apparently the reason for this amendment is concern that there will not be the ability to identify the numeric outcomes at one polling station, whereas the existing system ensures that there is the ability to determine the number coming from one specific polling station.

The Chair: Go ahead, Mr. Cullen.

Mr. Nathan Cullen: This may be unfair to our witnesses, who have just seen this amendment, as we have. Do you have any ability to confirm or add to the explanation given on the effect of CPC minus one, or whatever we're calling this—the ballot reconciliation reports?

Are you familiar with this section of the Canada Elections Act and what changing Bill C-76 in this way would do? I ask this as you're getting the amendments right now.

As I said in my preamble, this might be unfair to ask, but if you are familiar with this....

I thank my colleague for the explanation. My inclination is to vote against something if I don't have the ability to base my vote on some evidence that I have seen at the committee so far, and I don't recall this issue being raised. That's unless our officials can tell us in the next little bit why this might be an improvement to our election laws.

Mr. Jean-François Morin: Just give me a second to find the reference.

Mr. Nathan Cullen: Sure. I'll do the same.

Mr. Jean-François Morin: You're right that Bill C-76 makes many changes to the way that polling stations will be managed. Currently in the act, we have a polling station, which is basically a ballot box, and election officers who take the votes for one polling division. When many polling stations are regrouped in the same place, we call that a "polling place".

What Bill C-76 changes is that polling places will become polling stations, and inside polling stations there will be many tables where election officers will be able to receive the votes. This follows a recommendation by the Chief Electoral Officer to modernize the administration of the vote at the polling stations. I'm getting to—

● (1705)

Mr. Nathan Cullen: Just so that I can understand the scenario you were talking about—and forgive me, committee members, but I exist in a visual world—traditionally, particularly in urban centres, you would come into a school or a church gym, where there would be many polling stations from different districts, all contained within one. We would call that a polling place. Is it the case that Bill C-76 changes that to call it not a polling place anymore, but would consider that one entire polling station?

Mr. Jean-François Morin: Exactly. This will become a polling station.

Mr. Nathan Cullen: Then that change under proposed paragraph (e.1) isn't a new way of voting; it's just a new way of organizing the votes that come in. It doesn't matter which one an elector goes to.

Mr. Jean-François Morin: Eventually. The Chief Electoral Officer will be given more flexibility in the management of polling stations. He has already indicated that the "voting at any table" concept will not be applied for the 2019 election.

Mr. Nathan Cullen: You're saying the CEO doesn't have time now, given the lateness of the bill, to make the change that we're contemplating under this section, which would allow a voter to simply find a polling station, be enumerated, and be able to vote. This would be for future elections beyond 2019.

Mr. Jean-François Morin: Absolutely.

Mr. Nathan Cullen: Okay, and then can you comment on the change that this amendment would make to that scenario?

Mr. Jean-François Morin: This amendment would bring a change to the definition of "election documents" so that the ballot reconciliation reports would be considered an election document. Ballot reconciliation reports are a concept that will be introduced by a further amendment, but section 533 of the Canada Elections Act—it's not in the bill, but the act—already requires the Chief Electoral Officer to make a report of the results by polling division—

Mr. Nathan Cullen: Aren't those commonly referred to as "bingo sheets"? Is that the reconciliation report, or is that—

Mr. Jean-François Morin: No, that's different. The Chief Electoral Officer will still have to report results for each polling division in a separate manner. Not all polling divisions included in the polling station will be amalgamated. They will still need to be reported separately.

Mr. Nathan Cullen: Okay. Thank you.

The Chair: You're saying this isn't necessary? It's already being done?

Mr. Jean-François Morin: I think the other motion will allow us to learn more about the context, but I'm just saying that if the concern is about results not being given by polling division, the act already requires that.

The Chair: Go ahead, Mr. Nater.

Mr. John Nater: Just as a clarification, this clause is a pre-coordinating amendment for the CPC-72 amendment, which we'll debate later on. It's just adding that definition to the election document. Because of where those election documents fall in the bill itself, we have to consider it first, before we move on to CPC-72.

The Chair: Is there any further discussion?

We're ready for the vote on that amendment.

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: Okay. Next is amendment PV-1.

Go ahead, Ms. May.

Ms. Elizabeth May: Thank you, Mr. Chair.

Before we launch into the last amendment, I want to put on the record that the process by which I find myself here is still offensive and difficult for me. This committee's motion requires that I be in the committee to present amendments at clause-by-clause consideration. This is a substantial interference with my ability to do my work, because we quite often have committee hearings and clause-by-clause consideration at the same time, with two different committees meeting on clause-by-clause at the same time. It's a motion I don't welcome, but I do welcome the opportunity to be among colleagues and present these amendments, which I will do as quickly as I can, given how many the committee has to deal with on Bill C-76.

My first amendment falls under the subsection, just to remind people, where election advertising has a carve-out that says election advertising does not mean one of these things. Election advertising, for instance, in the bill as it now is drafted doesn't include transmission of an editorial or an opinion in a newspaper.

The concern I'm trying to address in this amendment comes from non-governmental organizations that are not actually in any way, shape or form advocating or in any way being partisan, but want to publish results, for instance, of surveys—in other words, it's for information purposes, but they're not third parties.

To enter into a campaign as a third party suggests you're favouring someone. That could be very difficult, for instance, for a charity that must not take a position in an election, but which, by its mandate, has an educational function. To ensure that the educational function is not precluded, I have the amendment that adds, for greater certainty, that election advertising does not include "general advocacy on an issue that does not actively promote or oppose a registered party or the election of a candidate".

Then the rest is consistent with that to ensure we also are not considering it as identifying or commenting on the position taken on an issue by a registered party or nomination contestant and so on.

I hope that's clear. We already have heard the minister's answer, so I'm relatively sure about what's going to happen to my amendment, but I think it's really important that the voices of non-government organizations that are not advocates and are not partisan be allowed to be heard, because those voices are an extremely important source of information for voters. Registering as a third party is not only onerous but may mislead people as to the intention of civil society organizations that are completely non-partisan.

Thank you.

● (1710)

The Chair: Go ahead, Mr. Cullen.

Mr. Nathan Cullen: I have a question through you to Ms. May.

Thank you for the amendment. I know it's not directly related, but recently we've seen new finance rules coming out from the CRA with regard to what charities can advocate for a period and receive donations. That was introduced under the last regime. It was shot down in I think the Ontario Superior Court a while ago. The government has suggested it is going to appeal.

I'm wondering about the combination of the ability of charities to receive money to advocate. These are environment groups and anti-poverty groups, and religious organizations, I would imagine, fall under this category as well, with their inability to advocate for the issues that they care about in elections.

We all know as political actors that if Canadians are going to donate to a political party to advocate for their views, they get a very generous tax receipt back. If they donate to some of these charities, they get much less back, yet Canadians continue to use charities to advocate for issues.

The challenge I pose to you is this: does this survive the challenge at court? That's going to be some of the balance in this bill, Chair: it's of some concern whether some of the restriction the government is against would be survivable at court versus the freedom of speech amendments that the court has to deal with.

Does your amendment to this bill allow the voices of charities and those that support them to continue their advocacy?

You mentioned surveys. If a charity comes forward and ranks parties and says, "We're an anti-poverty or religious charity, and we like this party, this candidate", how can that not be perceived by the public and the media as just straight-up partisan activity?

Ms. Elizabeth May: I would agree with you. That would look like partisan activity if they said, "We like what this party has said." We're talking about publishing the results so someone can read them and say, "Oh, this party has this position." In other words, it's pure education. It's not saying, "We like what this party said because we surveyed them." It's saying, "Here is a survey we circulated to the parties in this election and individual candidates on a riding-by-riding basis." One must remember there are independent candidates seeking to become members of Parliament. In our Westminster parliamentary system, they have just as much a right to get the public's attention as those who are in the larger parties.

The reality is that my amendment would actually make the legislation more robust in protecting free speech, without increasing the risk that third party actors will use their position to engage in partisan activities through the back door. They'd have to be very clear that it's general advocacy on an issue that does not promote or oppose. That means it's straight-up public information. It's education.

I don't want to take too long, but I have to say I have experienced this at the Sierra Club of Canada. Starting in 2006 and without any changes to the law, CRA information bulletins began to restrict very significantly the ability of NGOs to speak during election campaigns, even about the most basic fact-checking around issues on which they have expertise. We invite NGOs to testify at committees because they have expertise. That expertise is very valuable to a voter.

Political parties have rights to speak, but voters can quite appropriately apply a discount factor to the truth of what they hear from political parties during election campaigns. However, if they know there's a group they trust, whether it's CARE Canada or Oxfam speaking to poverty issues or a major organization that advocates for the rights of women like Equal Voice, their ability to publish a survey should not fall under the election advertising provisions of Bill C-76.

● (1715)

Mr. Nathan Cullen: Thank you.

The Chair: Is there any further discussion?

Are we prepared to vote?

You'd like a recorded vote?

Mr. Nathan Cullen: Yes, just on this one.

The Chair: We will have a recorded vote.

(Amendment negatived: nays 8; yeas 1) [*See Minutes of Proceedings*]

The Chair: We have CPC-1, tabled by Mr. Richards. Could someone briefly explain the intent of CPC-1?

Mrs. Stephanie Kusie: In CPC-9950080, we are proposing that —

A voice: You have to move it first.

Mrs. Stephanie Kusie: Oh, sorry.

The Chair: Is this a new one or the one that you presented before?

Mrs. Stephanie Kusie: This is a new one, because I believe now that PV-1 has been defeated, the other is moot.

The Chair: We'll call this CPC-0.2 for the administrators here.

Mrs. Stephanie Kusie: Okay.

Mr. Vance Badawey (Niagara Centre, Lib.): Just use the reference number.

The Chair: It will also be reference number 9950080, if you want to follow. It's the one that was handed out.

Mr. Scott Reid: Mr. Chair, on a point of order, do you in each case want the whole thing to be read out, "I move...", and have us go through the whole thing, or would you prefer us to just go right into the explanation?

The Chair: I'd just like a quick explanation of what it is.

Mr. Scott Reid: We can skip "I move that this be amended in line such-and-such on page...." That can all be skipped?

The Chair: Yes, I think so.

Mr. Scott Reid: Okay. That's the answer to your question.

Mrs. Stephanie Kusie: Okay, well, I think it's obvious in here: "*future elector* means a Canadian citizen who is 16 years".

The Chair: Is there any discussion?

Go ahead, Mr. Nater.

Mr. John Nater: Just to clarify, this would amend the definition of "future elector". Instead of age 14 to 18, it would be from 16 years of age to 18, so it narrows the age group and moves the lower end up to 16 for that requirement. It just provides a slight increase in the age.

I'll leave it at that, Chair.

The Chair: Okay. Everyone understands that. Is there any further comment? Are you ready for a vote?

Ms. Ruby Sahota: I have one quick comment. How old do you have to be to be a member of the Conservative Party?

Mr. Scott Reid: Mr. Chair, do you mind if I do this one? It's 14, which I have always thought was way too low; and I have tried for years to raise the age to 16 instead of 14.

My own experience in dealing with youth activists is that there's a greater maturity difference between a 14-year-old to 16-year-old than there is between a 16-year-old and, say, a 20-year-old. It's just one of those things that seems to me, based on plenty of party experience, to justify the age of 16 instead of 14. There you are.

Ms. Ruby Sahota: Anyway, right now it's consistent, and this is a future elector, not a current elector.

Mr. Scott Reid: It's absolutely consistent, but speaking for myself, I would like to see both of these be 16; and if I can get around to changing our party constitution, I'd like to see that be 16 as well.

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: Now we're going to go to what was originally CPC-1. The reference number, which you already have, is 9985169, just for clarity.

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): That one actually has a number of CPC-1.

● (1720)

The Chair: Yes, it has CPC-1 on it, and the reference is at the top left-hand corner so that you don't mix it up with the other CPC-1s.

Ms. Ruby Sahota: What reference are we going to now?

Mr. David de Burgh Graham: We're back to that paper.

The Chair: We're doing CPC-1.

Ms. Ruby Sahota: Oh, okay.

The Chair: Would someone like to explain briefly what this amendment does?

Mrs. Stephanie Kusie: Sure. It is in coordination with my question to the minister during her appearance here today about the government at present enjoying specific advantages in regard to being the government. What this attempts to do is level the playing field for the other registered parties in terms of restricting partisan advertising specifically, and in relation to other acts.

The Chair: Okay. Is there discussion? Are you ready for the vote?

Mrs. Stephanie Kusie: Pardon me; before we go to the vote, is this what she committed to within the discussion just now, when I asked her, "Will you commit to not...", in your opinion?

So, no.

The Chair: Go ahead, Mr. Cullen.

Mr. Nathan Cullen: I'm wondering if this is attempting to have cabinet ministers—including the Prime Minister, of course—list all expenses in the pre-election period and then include that as partisan. Is it attempting to make those expenses part of the partisan advertising limits and/or ban?

The Chair: Go ahead, Mr. Nater.

Mr. John Nater: Chair, just to clarify, we're still in clause 2, which includes definitions. This is again basically a pre-coordinating amendment for later on. It is, as Mr. Cullen noted, to align those periods.

The Chair: Okay. Are you ready for the vote?

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: We are on PV-2. If this is adopted, CPC-2 cannot be moved, as they amend the same line.

Ms. Elizabeth May: Thank you, Mr. Chair. Just out of interest for those members who are wondering what "PV" is, it is *le Parti vert*.

[*Translation*]

Surely, one day there will be another party with the letter "P", Maxime Bernier's for example, but I want to point out that "PV" here refers to the Green Party.

[*English*]

I think it was when I first started doing amendments in the 41st Parliament that the government of the day was worried that if we called the amendments "G".... They liked to hold onto "G" for "government", but that's my hope, too. Anyway, never mind.

In the pre-election period, my amendment would, at line 22 on page 5, extend the pre-writ period. I think it's very good that this legislation is going to apply rules to the pre-writ period on spending limits and conduct. I'd love to see the pre-writ period begin on the day after an election. However, in this amendment I've extended it only by two months so that it would start on April 30 instead of June 30.

The Chair: Mr. Bittle is next, and then Mr. Cullen.

Mr. Chris Bittle: Thank you so much.

I would like to agree with Ms. May and think that it should be extended; however, the legal evidence that we've heard is that there may be issues with respect to extending that period based on previous decisions, I believe, out of the British Columbia....

Mr. Cullen is going to correct me on this, but—

Mr. Nathan Cullen: I would never even suggest it.

Mr. Chris Bittle: He would never suggest that I could be incorrect on this.

This was planned in order to make it at a point when Parliament was no longer sitting and to make the election period more compliant with court decisions.

The Chair: Go ahead, Mr. Cullen.

Mr. Nathan Cullen: I have a question to our witnesses.

What was the pre-election period in Ontario for the last campaign?

You're saying it was six months.

It too was challenged in court as being too onerous. It survived that court challenge.

I think, as I mentioned earlier, Chair, that just with the bill as it is, there's tension as civil liberties and freedom of speech and those types of important values that we have in Canada go up against trying to set down limits.

I think Ms. May's interjection here, to extend the intention of what the bill does to make it more meaningful.... We know that much of that pre-writ period extends right through the summer, with fixed election dates at least. Am I right in saying that? If we go back from the election, the writ period, and then we go two and a half months back from that, we're mostly dealing with summer—

● (1725)

Ms. Elizabeth May: With summer, yes....

Mr. Nathan Cullen: —in Canada, which I know is an impassioned political time for many of our voters. They're keenly tuning in to CPAC, as they are right now.

If what we're trying to do is level the playing field, then you certainly can't take that last two months or two and a half months and say, "This is the most fevered time. We have to move the pre-election limits." We have to go further back, I think, because while Ms. May may be right that the election seemed to start right after the last election, the intensity certainly increases in that May-June-July period, and certainly in May and June before the House rises, typically.

I am supportive of the amendment and I think it is pretty strong in court, just to Mr. Bittle's concern that we have already seen it tested once, and Ontario just went through it. The results may have been terrible, but it wasn't this change to the Ontario election rules that caused the results that we saw.

The Chair: Could I just ask a question, Mr. Morin? Are there other people in the room from your department?

Mr. Jean-François Morin: Yes.

The Chair: Feel free to call on them at any time. Don't worry about that.

Okay, are we ready for the vote on PV-2?

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: Now we'll go on to CPC-2.

Do you have a quick explanation of what it does?

Mr. John Nater: It's in a similar vein, only we make "January 1, in the case of a third party" and keep the other dates for all other cases.

The Chair: Is there discussion?

Mr. Nathan Cullen: This would actually go back to Chris's point about constitutionality, that we have seen this aspect challenged.

Did you say "January"?

Mr. John Nater: It's January 1.

Mr. Nathan Cullen: In terms of limitations on freedom of expression, I don't think extending it to January 1 would make it for six minutes in a court, so I try not to vote for those things.

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: We've spent a long time on clause 2, but I'm going to allow a little more time on this next one, NDP-1, because this vote also applies to NDP-2, NDP-3, NDP-4, NDP-5, NDP-6, NDP-7, NDP-12, NDP-13, NDP-14 and NDP-15. The result of this vote applies to all those amendments.

Mr. Cullen, do you want to introduce this amendment?

Mr. Nathan Cullen: Yes, absolutely, and all the consequential amendments.

Essentially, this is a question I put to the minister when she was here. We've had people testify on this issue. If the intention is that we are all democrats of various natures, we like people voting. We've seen a steady decline in voter turnout, with the odd uptick.

One of the things we've learned from past surveys by Elections Canada and the different provincial sections is that we don't have a five-day workweek anymore. We don't have a regular-hour workweek anymore. People work all sorts of hours, and this is essentially around Sunday voting. According to most international experts, the ability to allow this would result in a 6% to 7% gain in the turnout at elections.

The countries that do this, just to give people some reassurance that it functions in functioning democracies, are Austria, Belgium, Brazil, Chile, France, Germany, Greece, Italy, Japan, Mexico, Portugal, Romania, Sweden, Switzerland, Uruguay, and a whole bunch of others.

I don't know if Samara, which we have all referenced and used quite a bit, have testified on Bill C-76. Did they?

The Chair: Probably. Everyone did.

Mr. Nathan Cullen: Everyone testified on this bill. They highly support this. The former Chief Electoral Officer, Marc Mayrand, whom many of us know and who is held in high regard in terms of his running of elections, has said this:

> Weekend voting would also increase the availability of qualified personnel to operate polling stations and of accessible buildings, such as schools and municipal offices, for use as polling places.

It's not just on the voter side of things. By all the evidence—and we're supposed to be an evidence-based committee, an evidence-based government, as I think they keep saying—the evidence for voters is helpful, but it's also helpful for Elections Canada in their staffing.

When did we start doing early voting as a major effort? I want to say it was 2006 when it started to really ramp up, 2004 or 2006. More and more early voting dates have become available, and voters like it. They like to be able to vote at their convenience rather than in long lineups. Some still like the tradition of voting day as the official day.

This amendment would simply get rid of an old aberration when maybe political times were different and the idea of having people work on a Sunday to staff the voting stations and having people participate in politics was seen as a negative.

That is clearly not the reality in Canada anymore. We're a diverse country. I think if we want more people voting and we want to help Elections Canada run elections, this amendment and the consequential ones would be good to vote for.

● (1730)

The Chair: Just to go on the record for people who are interested in this particular discussion, we did have a lengthy discussion at PROC on both sides of this. People who are interested can refer to that.

Mr. Nathan Cullen: PROC has also done some work on this. There are some divided opinions on it.

We were looking around for what the evidence was. How does this hurt the democratic process? Does it hurt Elections Canada's ability to run elections? I don't want to be casual about it, but it was more that a feeling was behind people's opposition—"I just don't like it" or "It doesn't feel right"—as opposed to showing the evidence that it will make our democracy less effective.

Again, in all those 42 other countries that are doing it right now, it just works. It's not even a thought. Many of them moved to it quite some time ago.

The Chair: Is there further discussion?

Go ahead, Ruby, and then Elizabeth.

Ms. Ruby Sahota: To that last point, I did want to say that I agree. I think there should be evidence. There was a lengthy discussion here. Everyone was divided. I think throughout that time we even had subs in this committee, and there were people in all parties who were feeling differently about it and a feeling that something of this magnitude maybe should be done through some consultation, and that we should get the proper evidence to figure out how people would feel about it rather than it just being an amendment to this piece of legislation.

The Chair: Go ahead, Ms. May.

Ms. Elizabeth May: I briefly wanted to say that in the 41st Parliament, Bill C-23, for the first time, broke the barrier against Sunday voting. The previous Conservative government had put in the legislation that advance polling would be mandatory on Sundays. That's the current state of the law, as far as I know it.

What Nathan's amendment would do would be to provide a voting day quite close to election day, but this would not be breaking a precedent or a taboo on Sunday voting. That was done by the previous government.

Mr. Nathan Cullen: I thank both colleagues for their comments.

Again, I know there are mixed feelings about it. I'm really trying to drive at why evidence supports this amendment.

One of the groups that spoke to us talked about under-represented voters. These are folks who work shift work, folks who are single parents, and we were told in an overwhelming number of cases that one more opportunity rather than the Tuesday between this time and this time is easier on child care. It's easier to not be doing shift work that day. For voters who are under-represented in the voting tallies—low income, single mom, that type of voter—Sunday voting has been identified as something positive.

The Chair: I have a question for the witnesses. Are any of the advance polls on Sundays?

Mr. Jean-François Morin: Yes. As Ms. May has said, following Bill C-23 in the 41st Parliament, Sunday was introduced as a day of advance polling.

The Chair: Thank you.

Are we ready for the vote on NDP-1?

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: All those consequential ones have been not passed.

Next is amendment PV-3. This has some consequences too. This will also apply to PV-6, which, if you're interested, is on page 156; PV-9, on page 181; PV-12, on page 227; PV-13, on page 231; PV-15, on page 278; PV-16, on page 285; PV-17, on page 298; and PV-18, on page 304, because they are all related by the concept of coordination.

Also, if this is passed, CPC-150 on page 279 cannot be moved because it amends the same line as PV-15.

CPC-152 cannot be moved because it amends the same line as PV-16.

Could you introduce PV-3, Ms. May?

● (1735)

Ms. Elizabeth May: Yes. Thank you, Mr. Chair.

As you said, there are many consequential amendments. This goes to the issue of parties or entities in an election campaign coordinating their activities in a way that is offensive to the principles of democracy—in other words, appearing in sheep's clothing to deliver a much more partisan message, under-the-table coordination, and that sort of thing.

With the better definitions that I'm providing, particularly in this first amendment, PV-3, I'm trying to present what things are not "coordination". This will make it much easier as a standard by which a future court might be trying to judge whether there has been collusion, whether there has been a coordination that offends the Elections Act.

I'll just read the kinds of things that do not constitute coordination: an endorsement of a party in such a form, if it's an endorsement by "a person, group, corporation", their members or "shareholders, as the case may be", or inquiries that are being made "in respect of legislation or policy-related matters". That doesn't give rise to the idea that that was a coordinated effort.

Another is "joint attendance at a public event or an invitation to attend a public event". This is very important, because quite often you see organizations inviting a candidate from one party plus a candidate from another party. It should be clear in the legislation that this is not coordination. That's not what the legislation is trying to get at.

There's also "communication of information that is not material" in carrying out partisan activities, advertising or election surveys. Again, it's trying to provide more clarity and create a standard that will be far easier to prove down the road to avoid the offence.

The Chair: Mr. Cullen and Ms. Sahota are next.

Mr. Nathan Cullen: Through you to our witnesses, one of the scenarios that Ms. May just described is about a group inviting candidates. Let's say in the midst of an election, you have a woman's group or an indigenous group that says they'd like you to come and speak at this thing. That's something that happens in every election that I've ever seen. Would that trip the collusion aspect of what's envisioned in Bill C-76?

I have no problem with it if an anti-poverty group wants to invite candidates to speak or debate or whatever. If a women's group does that, it's more than normal. It's actually quite healthy. I think if I understood Ms. May's intervention correctly, she is trying in this amendment to clarify that this should be both legal and encouraged. However, perhaps I have something wrong in my understanding of it.

Ms. Elizabeth May: If I could just add, to remind members of the committee, my amendments come from testimony you heard from Professor Mike Pal at the University of Ottawa law school.

He felt the collusion test would be difficult and that the coordination evidence would be easier to.... Well, the word "coordination" is used, but what does it mean? What is the difference between "collusion" and "coordination"?

By specifying what kinds of examples would not trigger the act, we're clarifying things. I don't want to assert that without my amendments, one would automatically assume that was collusion, but by having a carve-out in the definition section, I think we'll avoid a lot of confusion later on.

Mr. Nathan Cullen: Let me make my question more specific, then.

Could it be interpreted under this act that the scenario I just described would potentially constitute collusion and therefore have effect on the third party that organized a debate or a survey amongst candidates standing for election?

Ms. Manon Paquet (Senior Policy Advisor, Privy Council Office): The series of amendments that are being proposed by Ms. May lowers the threshold for what is prohibited from "collusion" to "coordination".

The commissioner would have to make a determination, but it's not meant to stop exchanges of ideas from organizations. If an organization were to do activities to support a party, that could be considered a non-monetary contribution to the party and would be covered under those provisions.

Mr. Nathan Cullen: Chair, I have a last question on this piece.

In the scenario I describe, could a third party—because that's what we're predominantly talking about, right?—in coordinating a survey of candidates, a debate of candidates, be under risk of being deemed in that "collusion" frame, which is a very strong term, a strong idea? It's somehow that they're being manipulative over the election rather than just making evidence available to voters.

● (1740)

Ms. Manon Paquet: In a scenario like the one you describe, I would say it would be unlikely, given that it's also working with multiple parties to organize such an event. It's not necessarily working with one specific party to get to a certain result.

Mr. Nathan Cullen: Okay, thanks, Chair.

The Chair: Thank you.

Go ahead, Ms. Sahota.

Ms. Ruby Sahota: I think it's a really bad idea when you take a term that's really specific and already defines coordination that is unethical in the word "collusion" and then take it to a broader word and have to possibly make a list of what that means and what it excludes.

I think we're really muddying the waters and casting a net that's far too large to solve a problem that maybe is not.... I think a targeted approach is always best. From a legal standpoint, I think it's better when we have more concise language rather than getting into definitions.

The Chair: Is there any further discussion?

All in favour of PV-3 and all of the attendant ramifications?

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: On amendment CPC-3, can someone relate it to the Government of Canada again?

Go ahead, Mrs. Kusie.

Mrs. Stephanie Kusie: First of all, I'm going to go back and apologize. I will say that the previous amendment that I was referring to was specifically in regard to ministerial travel. In discussions with the minister, she did make it clear that this was something that would not be of discussion.

However, I do feel that in CPC-3 the inclusion of "the Prime Minister or another Minister" under the definition of partisan advertising is keeping and in alignment with her commitment to our committee here today. With that, and with her commitment, I would ask for support for this amendment, please.

The Chair: Is there discussion?

Go ahead, Mr. Cullen.

Mr. Nathan Cullen: I may have missed that. This is attempting to do what? Is it to affect the way that the government, the minister specifically...?

Is it in similar vein to the previous...?

Mrs. Stephanie Kusie: No, I don't think it's previous....

I think it is including specifically the actions of the prime minister and the ministers under the definition of partisan advertising.

Further, it's to the commitment made by the minister in her appearance today to limit the presence of the government advertising in the pre-writ period to align the government of the day with the rules that essentially exist for third and registered parties, with everyone else.

The Chair: Go ahead, Mr. Graham.

Mr. David de Burgh Graham: I have just a quick question.

As I read this, as I understand it, if the revenue agency says, "Don't forget to file your taxes", because the election is during the tax season, that would be illegal and it would count toward the party's expenses. I don't support that.

Thanks.

Mrs. Stephanie Kusie: I'm sorry, David; you'll have to ask that again. My apologies.

Mr. David de Burgh Graham: That's all right.

You're saying that anything the government says during the pre-election period would count as partisan advertising. If we have an election in the spring for one reason or another, and it happens to be tax season and CRA says, "Don't forget to file your taxes", that is now considered to be partisan advertising.

I think that's a very hard position to support.

Mrs. Stephanie Kusie: It does say, "the message was necessary for the health and safety of Canadians."

Does something like CRA affect the health and safety of Canadians? I would say no....

That's right; I have seen people die from heart attacks from tax evasion.

Mr. Nathan Cullen: Pay your taxes or go to jail. That's health and safety.

Mrs. Stephanie Kusie: I don't know. Perhaps we need an amendment to the amendment, indicating....

I feel as though this amendment provides for the fairness of putting the government on a level playing field with third parties and registered parties. I do agree with Mr. de Burgh Graham that certainly there are some messages that are vital for Canadians to know, but perhaps that would be included within the health and safety of Canadians.

● (1745)

The Chair: Okay....

Mrs. Stephanie Kusie: I don't think it's fair to suggest other scenarios at this time outside of health and safety. I think the point of including health and safety is that if there were pertinent information for Canadians, the government would certainly have the right to provide that information to Canadians. Outside of that, partisan is partisan.

I think there is a very common sense standard that would apply either way.

Mr. David de Burgh Graham: You're right. There's government and there's partisan, and they should remain separate, so I don't support this amendment.

The Chair: Are you ready for the vote?

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: CPC-4 is about a book being part of partisan advertising. Perhaps you could speak to that, Stephanie.

Mrs. Stephanie Kusie: It's pretty obvious from the explanation that if the author or editor of a book is a member of the Senate or the House of Commons, it is included within partisan advertising.

For example, if I were to release a book called *Right Here, Right Now* during the election period, perhaps this would be perceived as —

Mr. Nathan Cullen: You're wrong, now. That's my book. That's the book I'm publishing.

Mrs. Stephanie Kusie: It's just a hypothetical title, Mr. Cullen.

Mr. Nathan Cullen: Now you have to declare that as election spending.

Mrs. Stephanie Kusie: Clearly, we wouldn't want someone to have this type of publication advantage during this time.

The Chair: Are you ready for the question?

(Amendment negatived [*See Minutes of Proceedings*])

Mrs. Stephanie Kusie: Please note that I'll be releasing my book *Not Here, Not Now* during the writ period in the next election.

Thank you.

The Chair: Shall clause 2 carry?

(Clause 2 agreed to)

(On clause 3)

The Chair: First of all, we're on Liberal amendment 1. It applies to Liberal-18, which is on page 110, and Liberal-62, which is on page 351. I will get the witnesses, because I think this is just a technical problem of the wording in French, and the order of it. Can you explain what this amendment is?

Mr. Jean-François Morin: Absolutely, Mr. Chair. I will start with a bit of history, if you don't mind.

Prior to the year 2000, when the former Canada Elections Act was in force, it was very clear from the provisions included in that former Canada Elections Act that in order to vote, you needed to be a Canadian citizen and 18 years of age or older.

There were two other provisions related to these two requirements for qualification as an elector. One clarification was saying that provided you would be 18 years of age or older on polling day, you could actually vote before polling day—in advance polls, for example. With regard to citizenship, it was also very clear that if you were to become a Canadian citizen before the end of the revision of the list of electors, then your name could be included for future voting at advance polling.

When the new Canada Elections Act came into force in 2000, this question became a bit unclear by reason of the wording of section 3 of the Canada Elections Act in French. The English version of section 3 can be interpreted to say that you need to be 18 years of age or older on polling day, but you need to be a Canadian citizen at all times.

On the other hand, the French version of the Canada Elections Act says that you need to be a Canadian citizen and 18 years old on polling day, which could lead to the interpretation that if someone were to become a Canadian citizen before polling day.... For example, if someone knows that his or her citizenship ceremony is scheduled for 10 days before polling day, that person could vote before swearing the oath of citizenship.

When the new Canada Elections Act came into force in 2000, our consultations with Elections Canada informed us that Elections Canada always took a more traditional approach to interpreting section 3. Elections Canada never allowed someone who would become a Canadian citizen in the future to vote. It always required that persons be citizens before voting.

When Bill C-76 was introduced, other amendments toward the end of the bill brought this little imprecision to light again. Therefore, the proposed amendment would fix that. It would make it clear that you need to be a Canadian citizen when you exercise your right to vote.

● (1750)

The Chair: If we leave it the way it is, they were going to become a Canadian citizen, but something happened and the ceremony was cancelled, so they didn't become one, and they could have voted already. That's what it's clearing up.

Mr. Jean-François Morin: Exactly.

The Chair: Okay.

Is there any discussion?

Is someone moving it? David?

Mr. David de Burgh Graham: I so move.

The Chair: Did you want to say anything?

Mr. David de Burgh Graham: I think you said everything I need to say. Thank you.

The Chair: Is there any discussion?

(Amendment agreed to [*See Minutes of Proceedings*])

Mr. David de Burgh Graham: That has a consequential withdrawal.

The Chair: Yes, I read that out. If you weren't listening, I read that out.

Mr. Vance Badawey: Pay attention, will you?

Mr. David de Burgh Graham: Okay.

The Chair: That means LIB-18 on page 110 and LIB-62 on page 351 also carry.

Mr. David de Burgh Graham: Yes, but there are also some withdrawals as a consequence.

The Chair: There are some what?

Mr. David de Burgh Graham: There are some withdrawals as a consequence. LIB-14, LIB-17 and LIB-42 no longer need to go forward.

The Chair: You're withdrawing Liberal....

Mr. David de Burgh Graham: We're withdrawing LIB-14, LIB-17 and LIB-42.

The Chair: Okay, it's LIB-14, LIB-17 and LIB-42, when we get to them. We'll bring that up again.

Mr. David de Burgh Graham: I'll try to remember.

The Chair: I just want to make sure everyone is in agreement.

(Clause 3 as amended agreed to)

(Clauses 4 and 5 agreed to)

(On clause 6)

The Chair: Under clause 6, we have CPC-5.

I think it changes something from two days to seven days, but did you want to explain that, Mrs. Kusie?

Mrs. Stephanie Kusie: Sure. We are requesting longer notice for MPs seeking re-election to change the voting location.

The Chair: Say that again.

Mrs. Stephanie Kusie: We are requesting requiring longer notice for MPs seeking re-election to change the voting location.

The Chair: You want longer notice to change the voting location of what?

Mrs. Stephanie Kusie: It's to change their own voting location.

The Chair: Do you mean where they vote?

Mrs. Stephanie Kusie: Yes, it's to change the notice of where they vote to at least seven days.

The Chair: Right now they only have to give two days' notice that they want to vote somewhere else, and the amendment is suggesting they have to give seven days' notice.

Go ahead, Mr. Graham.

Mr. David de Burgh Graham: Where does this come from? There's been no evidence or suggestion that we needed to do this from Elections Canada or in the reports or anywhere else.

Mrs. Stephanie Kusie: You know, two days isn't that long. Seven does seem like a more...but it is a longer period of time, obviously.

● (1755)

The Chair: Do you want to vote?

Mrs. Stephanie Kusie: Sure.

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: Shall clause 6 carry?

Mr. Chris Bittle: If there's consent, can we lump clauses 6 to 14? It seems—

The Chair: Let's just do clause 6 now, because we discussed something.

Mr. Chris Bittle: Okay.

(Clause 6 agreed to)

The Chair: You cannot be chair.

Mr. Nathan Cullen: All in favour?

Mr. Chris Bittle: I'll vote in favour of that.

The Chair: There are no amendments to clauses 7 to 14. Shall clauses 7 to 14 carry?

(Clauses 7 to 14 inclusive agreed to on division)

(On clause 15)

The Chair: On clause 15, we turn to CPC-6.

We can get an introduction. This one may be hard to read, because they're referring to.... It's in two parts. In the first one, where it looks as if there's nothing there, it's just because they're taking out 18 and replacing 18.1, but go ahead, Stephanie.

Mrs. Stephanie Kusie: I am consulting....

Mr. John Nater: This amendment proposes to have the effect of the Chief Electoral Officer maintaining the existing public education mandate.

Mr. David de Burgh Graham: It's in the Fair Elections Act.

The Chair: Okay.

(Amendment negatived [*See Minutes of Proceedings*])

Next is CPC-7. This is related to no electronic voting without the House or the Senate—

Do you want to introduce this?

Mrs. Stephanie Kusie: I don't have anything further to add.

John, do you?

Mr. John Nater: It's just that Parliament would be our final decision-maker on whether we go to electronic voting or not.

The Chair: Go ahead, Mr. Cullen.

Mr. Nathan Cullen: I'm sorry, I missed that. Who would be the prime...?

Mr. John Nater: It would be Parliament.

Mr. Nathan Cullen: Is Parliament not the prime decision-maker on this already? Could Elections Canada wake up tomorrow morning and say we're going to move to an electronic vote?

Mr. John Nater: That could happen.

Mr. Nathan Cullen: I don't see it.

The Chair: Okay.

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 15 agreed to)

(Clauses 16 to 19 inclusive agreed to on division)

(On clause 20)

The Chair: We have CPC-8. It is about an officer not being able to live in the adjacent electoral district, whereas I think the act is proposing they could. This amendment would not allow them to do that, if I've read it correctly.

I think Elections Canada said often officials are very close, but this amendment wouldn't allow them unless they're in the adjacent district.

Mr. Nathan Cullen: It would not be so much for jurisdictions like ours, Chair, but certainly in some of the urban jurisdictions I can imagine that an election officer is one street over and not technically in the district. Am I correct in saying that?

Elections Canada can hire somebody as an election officer who lives two blocks away, but they're outside the district. I don't see the motivation for this amendment, unless I'm understanding it incorrectly, which is highly likely.

● (1800)

Mr. Scott Reid: I think what can happen is that riding boundaries can change, so someone who was in the middle of it now is not.

You could have two skilled officers, each in their own riding. Thanks to boundary change, they're both in different ridings or they're both living in the same riding now, but one of them can't....

Mr. Nathan Cullen: But imagine outside any boundary change scenario, just a scenario in which you have an election officer who lives not in Toronto Centre but Toronto one up. Literally, they're a block or five blocks outside the riding; it doesn't really matter. Does that prohibit them from performing the duties we expect of them?

I get it in large, rural, dispersed ridings. Some intimate knowledge is required of the district to hold the election, but I just don't see that it's going to matter to the voter in a lot of urban and suburban contexts. They can handle most of the questions and problems that can come up.

The Chair: Is there any further discussion?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 20 agreed to)

(Clauses 21 to 24 inclusive agreed to on division)

(On clause 25)

The Chair: We have CPC-9.

Mrs. Stephanie Kusie: Our amendments in CPC-9 are to maintain procedures to object early to persons who are incorrectly on the list of electors.

Obviously if there are people who are incorrectly on the list of electors, we would want to ensure that as much time as possible was allowed in an effort to correct the list.

Mr. John Nater: Just to clarify, currently as the bill is written, at the end of the day Elections Canada has rules in place whereby you can object to incorrect names on elections lists a couple of weeks in advance. The Liberal bill takes out that provision. This amendment is reversing that provision that has been inserted by the government in this bill.

The Chair: There's no ability to object now to someone on the list?

Mr. John Nater: That's if this bill were to pass. Currently there is an ability to object in advance. If this bill passes, that will be gone. That's why this amendment is being put in place.

The Chair: Do the witnesses have any comment on that?

Mr. Jean-François Morin: I can confirm that this procedure is being removed from the Canada Elections Act. My understanding is that procedure was not used very much because it dates back to the time when lists were posted on telephone poles.

Ms. Manon Paquet: The only thing I would add is that the procedure is removed, I believe, at clause 68. This is a reference to the procedure.

The Chair: Go ahead, Mr. Bittle.

Mr. Chris Bittle: Just very quickly, this provision is based on a recommendation that was made by the Chief Electoral Officer, which is why this is in the bill. We trust the CEO's judgment on this particular clause, so we're opposed.

Mr. John Nater: Just to clarify, if this were to pass, the only place where you could object is at the polling location on election day, if you make this change.

The Chair: You're saying the procedure would be that if you think someone shouldn't be able to vote, you'd complain at the polling place.

Mr. John Nater: That's correct. That would be the practical effect of this change.

The Chair: Is there any further discussion?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 25 agreed to)

The Chair: There are no amendments on clauses 26 to 28.

(Clauses 26 to 28 inclusive agreed to)

(On clause 29)

The Chair: On clause 29, I think CPC-10 limits the number of election staff from one party, but I'll leave it to the Conservatives to propose it.

● (1805)

Mrs. Stephanie Kusie: Yes, it just indicates a cap at 50% to the proportion of a single party's nominees for election officers who are assigned to a given polling station. It strikes me as fair that you wouldn't want a single party's election officers to have the opportunity to be the majority of election officers.

The Chair: Go ahead, Mr. Cullen.

Mr. Nathan Cullen: I'm just trying to think of scenarios in which this would be hard to achieve. Are there such scenarios in which you wouldn't be able to run the polling station? I'm just trying to think about.... On the surface it seems like an interesting idea, but again, many of these things are going to have practical impacts on how the elections are run. Could we not imagine a scenario of people not being available from other parties, and it ends up with more than 50% of election officers being from one party?

The Chair: While we're on this topic, I thought there might have been other changes in the bill somewhere related to parties appointing people. Do you remember?

Mr. Jean-François Morin: Absolutely, yes. Part of the polling station modernization portion of the bill gives more flexibility for returning officers in electoral districts to hire election officers in advance of receiving the party appointment suggestions. The returning officers will now be able to appoint up to 50% of the election officer positions before receiving the party nominations.

This is consequential to a recommendation by the Chief Electoral Officer. The party recommendations were coming later in the election period, and often were not sufficient to fill all the positions.

The Chair: Go ahead, Mr. Graham.

Mr. David de Burgh Graham: For one, I trust Elections Canada to administer elections. More to the point, in my election, during the first couple of days of the campaign, my phones rang off the hook with people who wanted to be named to work at Elections Canada. I had never heard of any of them before and I have never heard from any of them since, and I suspect that these people called all the different parties so they would show up on all the different lists. If you have to say that only 50% are named by each party, they might have people who were named by all three parties, and everyone's named by everybody, so they could be anywhere.

I see that being problematic in implementation. I don't see any need for this amendment.

The Chair: Mr. Cullen, you're on the list.

Mr. Nathan Cullen: I find the sometimes crossover partisan nature of what happens in polling stations just odd. The first returning officer I sat down with in my first election said, "Hi, I'm so-and-so, and I'm a Liberal." I didn't know that happened. I was new to politics and didn't understand why that happened.

Again, sometimes we have to imagine the worst-case scenarios, not the best-case scenarios, when we're designing these laws. Many laws are only designed for worst-case scenarios. With this new 50% provision offered to returning officers, is it not possible that returning officers who are of a more partisan nature and like their partisan family might hire from only one party and then essentially have virtually all returning officers coming in at their discretion?

I'm just asking for scenarios in which that election officer is dealing with somebody of an "opposing" party. Is that possible with this provision that's coming later in the bill? I say that through you to our witnesses.

Mr. Jean-François Morin: Mr. Cullen, when were you first elected?

Mr. Nathan Cullen: I was elected in 2004.

Mr. Jean-François Morin: At that point, returning officers were still appointed by the Governor in Council, but the Canada Elections Act was amended a few years ago to provide that returning officers are now appointed by the Chief Electoral Officer following a fair recruitment process.

Mr. Scott Reid: I note that Mr. Cullen has been re-elected since then and knows that information.

Mr. Nathan Cullen: Well, that was despite the best efforts of some of those returning officers and some voters, but I understand that.

Mr. Jean-François Morin: Also, returning officers are now subject to a code of conduct that prevents them from acting in a partisan manner.

● (1810)

Mr. Nathan Cullen: Okay. I've not read their code of conduct. I'm a bad democrat that way.

Again, to go back to this amendment, what is being attempted is to limit it so that in any group of returning officers, no more than 50% can be named by one party. Have I got that right?

The Chair: If there is no further discussion, we will now vote.

(Amendment negatived [*See Minutes of Proceedings*])

(Clauses 29 and 30 agreed to)

(On clause 31)

The Chair: CPC-11 is related to when you have merged parties and you need to know the number of votes in the previous election. The present proposal refers to the biggest of the merged parties, and the CPC proposal is for the total of the merged parties.

I would like to ask the witnesses about the reason you need these numbers of electors. The title of this section in the act is "Appointments". What appointments is that talking about?

Mr. Jean-François Morin: As we just mentioned a few minutes ago, political parties will still be able to recommend election officers to the attention of returning officers. The ratio that is assigned to each party is determined with reference to the results of the last general election.

The Chair: In the marginal notes on page 18 for section 42, it says "Attribution of votes for appointments". I'm just curious as to what the "appointments" are.

Mr. Jean-François Morin: It is for the appointment of election officers. For example, in the 43rd general election, the parties will be able to recommend to returning officers the names of potential election officers in various electoral districts.

Had two major parties merged following the previous general election, the 42nd general election, this section deals with how these votes from the 42nd general election would be counted toward the attribution of names that can be recommended by each registered party.

The Chair: Okay. Do you want to introduce your amendment? You're suggesting the number of votes for both parties that merged, whereas the present proposal is that the largest party of the—

Mrs. Stephanie Kusie: It's on the best result, yes. This essentially just mirrors the party's allocation of broadcasting time. It's in coordination with that.

The Chair: Is there any discussion?

Mr. Nathan Cullen: Sorry; can you remind me which CPC we're on now?

Mr. John Nater: It's CPC-11.

Mr. Nathan Cullen: Thank you.

The Chair: All in favour of this amendment?

Sorry, Mr. Cullen, I didn't...?

Mr. Nathan Cullen: I was opposing.

The Chair: You were opposing?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 31 agreed to)

(Clauses 32 to 35 inclusive agreed to)

(On clause 36)

The Chair: We're on CPC-12. Right now you don't need to get parental consent to be on the pre-registered voters list. I think this CPC amendment is suggesting that if you're younger than 16, you need to get parental consent.

Mrs. Stephanie Kusie: That's correct.

● (1815)

The Chair: I think we just recently got a paper from Elections Canada noting that they did research on this, and it included other countries.Where this was—

Mr. Nathan Cullen: You've got a paper on this?

The Chair: Yes, I think I read it over the break week.

Mr. Nathan Cullen: We have to get better break weeks planned for you, Chair.

Some hon. members: Oh, oh!

Mr. Nathan Cullen: We're all looking shocked and incredulous that you got that report.

The Chair: I probably have it with me.

Is there any discussion on this amendment? If you're a young elector and you want to get on the list, it's being proposed that if you're under 16, you need parental consent. Right now you don't need parental consent for the list at any age, which goes down to 14, I think still, because the other amendment was defeated.

Mrs. Stephanie Kusie: Yes, CPC-2 was defeated, so it is not included.

We certainly live in an age of the Internet and threats on the Internet. I think that parents have not only the obligation but also the right to know what their children are up to on the Internet. I think that something such as signing up for the voting registry is significant, and I certainly would want to know if my children were doing that.

I don't think that it is an unreasonable request or position to ask for this parental consent as a requirement for 14- and 15-year-olds to be on the voting registry.

The Chair: Go ahead, Mr. Graham.

Mr. David de Burgh Graham: I think our objective here is to knock down barriers to youth participation. I think putting up new ones is not helpful to our purposes here, so I'll be opposing this amendment.

The Chair: Go ahead, Ruby.

Ms. Ruby Sahota: If only we were so blessed that our children were trying to sign up for a pre-electoral list online rather than doing other things, I think I'd be really happy and wouldn't need to know. Anyway, that's my opinion.

The Chair: Is there anyone else?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 36 agreed to)

(On clause 37)

The Chair: Note that if we pass this amendment, LIB-2 cannot be moved because they amend the same line. We're at CPC-13, and this is about having to report people, not only people who are on the list but also people who are being removed from the list.

Stephanie, do you want to...?

Mrs. Stephanie Kusie: Okay.

Is this the amendment that I suggested in my list of amendments? Is that what this is referring to, the 9950142?

Mr. Nathan Cullen: It's 9952756.

The Chair: It's CPC-13 in the book.

Mrs. Stephanie Kusie: Okay.

The Chair: It's one of the original ones, and it's relating to when the people have to provide lists. Your other one will be right after this one—

Mrs. Stephanie Kusie: Okay. Thanks a lot. I appreciate that.

The Chair: —because it comes after LIB-2.

Go ahead, Mr. Cullen.

Mr. Nathan Cullen: Every campaign runs into this. I think sometimes the electoral lists are not "cleaned", and we end up trying to contact dead people, to not put too rough a point on it.

It can be quite traumatic. I don't know if any of you have gone through it, but when you try to contact somebody and you remind them that their husband, wife, or family member has passed, it's not a great call to make. It's kind of frustrating.

If this ups the bar for the electoral list and allows Elections Canada to provide a cleaner list to us, I think that would be nothing but good.

● (1820)

The Chair: Mr. Graham is next, and then Mr. Nater.

Mr. John Nater: I would propose a subamendment in the hopes of maybe reconciling with Mr. Graham's amendment that's forthcoming. I have this in writing and I'll hand it over to you.

It reads, "That amendment CPC-13 be amended by adding, after the words "tors — of", the following: 'in electronic form, or in formats that include electronic form' "

The Chair: Okay. Basically the subamendment puts in what's going to be in LIB-2, but it keeps the fact that they must report on who's removed from the list.

We have Mr. Graham now.

Mr. David de Burgh Graham: There's technology from the 1970s, even the 1960s, called a TIFF, that lets you get a list and then compare it to the old list and see where the differences are.

When Elections Canada sends its updated lists, dead people are already supposed to be removed. If they're not, sending this list isn't going to change that fact. I don't see the purpose of the amendment in the first place, and I don't see what the purpose is of sending a list of only deceased people. I don't see any advantage to this.

I appreciate what you're trying to do, John, but I can't support your amendment in the first place.

The Chair: Does Elections Canada have anything on the—

Mr. David de Burgh Graham: It's PCO.

The Chair: —suggestion of the need to report people who were deleted from the list as well as giving the updated list?

Mr. Jean-François Morin: As was just said, this amendment would require Elections Canada to send the list of deceased people who were specifically removed from the list.

I cannot comment on the need, but these persons are not on the list of electors that is provided by Elections Canada anymore, so....

The Chair: Okay.

I'd like to welcome Luc Thériault from the BQ. Thank you for coming.

So that people understand the subamendment, it will add in the electronic aspect that would be otherwise added in amendment LIB-2, but keep the nature of this amendment, CPC-13, to also provide a list of who has been deleted.

(Subamendment negatived)

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: Going on to LIB-2, which is suggesting that Elections Canada also has to produce the list electronically, does someone want to introduce this?

Mr. David de Burgh Graham: Sure.

It's to ensure continuity in the provision to registered parties of lists in electronic formats. Proposed amendments would clarify that such documents must remain available in electronic format, in addition to any other format that Elections Canada sees fit.

A similar provision would apply to the distribution of maps.

I think it's a pretty straightforward change.

The Chair: Before you think about this, know that it also applies to LIB-3 on page 37, LIB-4 on page 38, LIB-6 on page 40 and LIB-7 on page 41.

Is there any further discussion?

All in favour of Elections Canada having to produce the voters lists electronically as well? It seems to be of the age.

(Amendment agreed to)

The Chair: Shall clause 37 carry as amended?

(Clause 37 as amended agreed to)

The Chair: Okay, there are no amendments in clauses 38 to 46.

Mrs. Stephanie Kusie: Mr. Chair, on clause 37 we had amendment 9950142. That was the one that we—

The Chair: Oh, yes. Sorry, we do have another amendment.

Do you want to introduce it? Is it one of the new ones?

Mrs. Stephanie Kusie: Yes. It adds for the Register of Future Electors the express prohibition on sharing registered data with parties, candidates and MPs.

The Chair: Sorry; did everyone understand that?

Mrs. Stephanie Kusie: It's that it is absolutely prohibited to share the information obtained and retained within the Register of Future Electors with parties, candidates and MPs.

If we are going to put our children on the list without requiring parental consent, then at the very least what we can do is ensure that their data is not shared beyond the list.

Again, I think that's the minimum that we can do for our young people.

● (1825)

The Chair: Are there witnesses who have a comment on that?

Mr. Jean-François Morin: I would only comment that section 45 already provides the information that the Chief Electoral Officer is allowed to provide to the parties, and in administrative law, if a governing body is not given a specific power, it basically cannot do what is not specifically allowed.

The Chair: Go ahead, Mr. Bittle.

Mr. Chris Bittle: I would just clarify...it's moot.

Mr. Jean-François Morin: Well, it would certainly add clarity, but I think it's already quite clear that the Chief Electoral Officer cannot provide that data to registered parties.

Mrs. Stephanie Kusie: Can you further define how it would provide clarity, please?

Mr. Jean-François Morin: Sorry?

Mrs. Stephanie Kusie: Can you further provide...define how it is not clear in the existing legislation?

Mr. Jean-François Morin: Provide how it is not clear? Sorry; could you repeat that?

Mrs. Stephanie Kusie: You're saying it would provide clarity if we were to insert this amendment.

Mr. Jean-François Morin: I'm just saying that it would provide a very special situation in which a power is denied to the Chief Electoral Officer. That would be very uncommon in the act. Yes, it would say that he or she cannot provide that information, but I think the act is already quite clear that he or she cannot provide it.

The Chair: Those in—

Mr. John Nater: I request a recorded vote.

The Chair: A recorded vote has been called.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

The Chair: Just for the record, the amendment we just voted on is reference number 9950142.

For clauses 38 to 44, there are no amendments.

(Clauses 38 to 44 inclusive agreed to)

The Chair: There's a new amendment for clause 45.

Would you like to introduce the new amendment, Stephanie?

Mrs. Stephanie Kusie: Sure. In a similar vein to the last amendment, this prohibits the Chief Electoral Officer from sharing data with provinces and territories that are obliged to share the information with parties, and so on.

Mr. Nathan Cullen: Is this 0142...which?

Mrs. Stephanie Kusie: It is reference number 9952296.

Mr. Nathan Cullen: Okay, it's 2296. I'm with you.

The Chair: Is this what we just talked about? Is this the register of future electors again?

Mrs. Stephanie Kusie: Yes, that's correct. Pardon me.

The Chair: I assume that PCO has the same response—that it's not necessary because it's already covered, in your opinion, and they're not allowed to share that.

Mr. Jean-François Morin: No, actually I don't think it's already covered. The act is currently pretty broad on the agreements with the provincial chief electoral officers that Elections Canada can enter into, so such an amendment would make it clearer that the standards that apply at the federal level should also apply when shared at the provincial level.

The Chair: Are you saying that without this amendment, Elections Canada could give the list of young voters to the provinces?

Mr. Jean-François Morin: Yes, there is a provision in the bill that allows Elections Canada to enter into agreements with provincial bodies that manage a list of electors—so yes, if this amendment is not passed, then the information that is found on the register of future electors could be shared. Of course, the Chief Electoral Officer has no obligation to enter into such an agreement, but yes, in theory that could be the case.

● (1830)

The Chair: Go ahead, Mr. Cullen.

Mr. Nathan Cullen: That's enough for me to know. We're collecting this information for a very specific reason. It should only be for that reason. We just had affirmation that none of that information could go to political parties. It only makes sense that we would also imagine that the information doesn't go to provincial electoral officers, who may then also have different rules about how they share information with political parties. Let's just not open up the possibility that information that's offered in good faith by young people trying to get on the register list doesn't stay exactly where it's intended and go no further.

The Chair: Are there any comments from the government?

Are there any further comments at all?

Mr. John Nater: Let's have a recorded vote.

(Amendment agreed to: yeas 9 [*See Minutes of Proceedings*])

The Chair: Okay, that was unanimous. The amendment with the reference number—Philippe, make sure I get this right—9952296 is passed unanimously.

(Clause 45 as amended agreed to)

(Clause 46 agreed to)

The Chair: There is a new clause, 46.1. NDP-2 has already been defeated, because of amendment NDP-1, and amendment NDP-3 was also a casualty of amendment NDP-1, but we'll have amendment CPC-14 introduced now. This is about protecting the list of electors.

Mrs. Stephanie Kusie: Yes. I guess it's interesting to me because it would seem that reference number 9952296 would be included with this amendment if it were passed. It does also seem eerily similar to amendment reference number 9950142, although I guess 9950142 expresses the prohibition to the specific entities of parties, candidates and MPs, whereas this is on sharing information outside of Elections Canada.

Maybe our witnesses could say if there are ever situations now of the information being shared outside of Elections Canada. Could they could see it in any circumstances, such as if Health Canada or whatever requested this information? I can't imagine scenarios. Would there be a necessity to share this information outside of Elections Canada?

Mr. Jean-François Morin: I do not think so.

I would refer you to the bill on page 26, line 11, in English. I think that the new proposed subparagraph 56(e.1) would provide for what you are trying to achieve here.

Mrs. Stephanie Kusie: What does it say, please?

Mr. Jean-François Morin: It says that no one can

> knowingly use personal information that is obtained from the Register of Future Electors except as follows:
>
> (i) for the purposes of updating the Register of Electors,
>
> (ii) for the purposes of the transmission of information in the course of public education and information programs implemented under subsection 18(1),
>
> (iii) for the purposes of the administration and enforcement of this Act or the *Referendum Act*, or
>
> (iv) in accordance with the conditions included in an agreement made under section 55, in the case of information that is transmitted in accordance with the agreement;

Therefore the act is already quite clear on what—

● (1835)

Mrs. Stephanie Kusie: Did we ever have an example of something being used outside Elections Canada?

Okay, we'll go to a vote, please.

The Chair: Okay.

Mr. John Nater: Could we have a recorded vote, please?

The Chair: Elections Canada was saying this was already covered in the clause just read, but do you want to call the roll?

(Amendment negatived: nays 6; yeas 3 [*See Minutes of Proceedings*])

The Chair: Clause 46.1 disappeared because of the various decisions already made.

(On clause 47)

The Chair: We'll look at CPC-15. This is related to the timing of when the election is called.

Mr. John Nater: Mr. Chair, this is just in cases when the election writ is issued at a certain period of time close to the Christmas season. It provides the added writ period for that period of time so that we'd not necessarily have polling days on Christmas Day.

It's between November 12 and November 30, and then it's extended up to a 57-day writ period.

As a quick commentary, the 2005-2006 election is an example of how that could have been a significant issue. I wasn't here. Mr. Cullen was here in 2005. The Paul Martin government was defeated in late November, so if he did the 35-day writ period, there would have been advance polling on Christmas Day. At that point, the prime minister of the day called the election for January 23, 2006. It was a longer writ period, falling over the Christmas season.

I can't remember the result of that election off the top of my head, but I think it was a good one.

Mrs. Stephanie Kusie: Okay. Thank you.

The Chair: Yes, Mr. Cullen?

Mr. Nathan Cullen: The scenario was in a minority Parliament. The whole preview to that was the Stronach crossing. I guess what I'm saying is the circumstances were somewhat exceptional, the outcome less so.

I understand the intention of it is not to have government locked into an election cycle. If there was another unusual circumstance that led to an election call and then it couldn't be extended beyond the holiday season, voters would be pretty ticked off. They were ticked off anyway. It was a 60-day campaign. It was horrible.

The Chair: The present act limits it to 50 days, so if it were November 30, that would take it to about January 20, and this would make it January 27.

Why do you end it November 30? Wouldn't it be more problematic if it were in December?

Mr. John Nater: Sorry; could you repeat that, Chair?

The Chair: It doesn't look as if November 30 is a problem. What if the writ were issued during December? That wouldn't be a problem because it would be too far out. Right.

Mr. John Nater: It's a situation in which you would potentially have polling days on Boxing Day, Christmas Day, New Year's Day, and that type of thing.

The Chair: Go ahead, Mr. Graham.

Mr. David de Burgh Graham: I already see two weeks of flexibility in this. It's not as if you have to go 50 days—that's the upper limit, not the lower limit. I don't see what we're getting out of this at all.

Mr. Nathan Cullen: Are you saying that if they just called it on the short end of the stick, it would be early December, mid-December?

Mr. David de Burgh Graham: Yes, you have your time. If you have to go longer, you have two extra weeks. You can go past Christmas and New Year's.

I don't see the advantage for that situation, which would happen once in three generations.

● (1840)

Mr. John Nater: There are other dates, as well: the nomination deadline date and dates that have to be complied with. If you're doing it over the Christmas season, there are going to be days that are going to be problematic for Elections Canada to find staff and to have offices open.

I recall that in 2005-2006, Elections Canada's offices were open on Christmas Day. It's problematic when you have to find people to staff those offices at that point in time. It's a range, an extra seven days, and I think it provides some flexibility when those situations happen in minority parliaments, and there could well be minority parliaments in the future.

The Chair: Is there any further discussion on CPC-15?

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: CPC-16 is relating also to adding seven days to the election period.

Mr. John Nater: Mr. Chair, this is just extending the writ period up to a 57-day period, again giving some flexibility for timing at different points in time. It's an extra week added to the maximum, and it provides for the ability to—

The Chair: But it's not related to Christmas this time.

Mr. John Nater: Not necessarily, but it's potentially related to the Christmas season, or to other significant—

The Chair: This is a broader extension.

Mr. John Nater: Exactly. It provides some flexibility for significant dates in the calendar that could be proven problematic, depending on the timing, such as holidays or significant religious observances.

The Chair: Okay.

Mr. David de Burgh Graham: Isn't it redundant? It really it can't go that long anyway.

The Chair: Well, we'll vote anyway.

(Amendment negatived [*See Minutes of Proceedings*])

There was NDP-4, but that was lost with NDP-1.

Shall clause 47—

Mr. John Nater: Let's have a recorded vote.

The Chair: We will have a recorded vote.

(Clause 47 agreed to: yeas 6; nays 3 [*See Minutes of Proceedings*])

(On clause 48)

The Chair: We're going on to CPC-17, which I can't find. If CPC-17 is adopted, then CPC-18 and CPC-19 cannot be moved, because they amend the same line.

Can we have an introduction of CPC-17?

Mrs. Stephanie Kusie: I believe it's just essentially opposing the 50-day maximum writ period, which I would expect the government would be in support of, considering how well it worked for them in the last election. In fact, I remember being at Mercedes Stephenson's wedding when the election was called, and thinking, "Federal election—day one". It was a sad day. It was a day in August.

That's just to say that you should support this amendment. This is something that has historically worked in the government's favour.

Mr. John Nater: Just to clarify as well, this specific clause 48 applies to elections that have been rescheduled based on a candidate's death or a natural disaster, so that is the differentiation in these ones.

The Chair: Does that make a stronger argument?

Mr. John Nater: Absolutely.

The Chair: Okay.

Go ahead, Mr. Graham.

Mr. David de Burgh Graham: To our witnesses, if we start passing some of these amendments and make it 57 days and we refuse other ones, what happens?

Mr. Nathan Cullen: A day off?

Mr. David de Burgh Graham: I rest my case.

● (1845)

Mrs. Stephanie Kusie: I want to campaign forever.

The Chair: All in favour of CPC-17?

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: We can go on to CPC-18 now because that was defeated.

Stephanie, you're on again.

Mrs. Stephanie Kusie: Yes, I'm going to get used to this for tomorrow, let me tell you.

I'm having a hard time seeing what the difference is between this and CPC-15, because it refers to a 57-day maximum writ period and a writ issued between November 11 and 30. I feel we defeated this already, essentially.

Mr. John Nater: Again, this clause is only for elections that have been rescheduled based on a death or a natural disaster.

The Chair: Okay, so it's the same Christmas period, but on rescheduled elections.

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: Next is CPC-19.

Mrs. Stephanie Kusie: Again, I see this as being similar to CPC-16, increasing it to the 57-day maximum for other arrangements, such as Groundhog Day, I guess.

The Chair: There doesn't seem to be any appetite for these extensions, so can we have a vote?

(Amendment negatived [*See Minutes of Proceedings*])

The Chair: NDP-5 is lost because it's consequential to NDP-1.

(Clause 48 agreed to on division)

The Chair: There are no amendments on clauses 49 to 51, unless we have a new one there.

(Clauses 49 to 51 inclusive agreed to)

(On clause 52)

The Chair: On CPC-20, go ahead, Ms. Kusie.

Mrs. Stephanie Kusie: This prohibits responsible officers of third parties that fail to file expense reports from being candidates, mirroring the current rules for candidates and official agents.

It makes sense to me that if an officer of a third party failed to file an expense report, then they would have essentially broken the rule and requirement in an effort to be a candidate or official agent. It makes sense to me also because of the government's efforts to provide transparency and accountability for third parties.

The Chair: Could we have the PCO give us a comment on that?

Mr. Jean-François Morin: Section 65 of the Canada Elections Act currently provides ineligibility criteria for candidates, and paragraph 65(i) says that a person who was a candidate or an official agent and basically failed to provide his or her returns is then ineligible to be a candidate again in a future election.

However, paragraph 65(i) applies only to former candidates; it doesn't apply, for example, to the official agent of any other registered entity under the act.

The Chair: You're saying part of this is already covered—

Mr. Jean-François Morin: No, no—

The Chair: —and part is not covered.

Mr. Jean-François Morin: No, I'm just saying that the amendment would create the situation that, for example, the financial agent of the party who did not file on behalf of the party would be able to run as a candidate, but the financial agent of a third party, which is more remote from the election process, would be ineligible to file as candidate.

●(1850)

The Chair: That doesn't make any sense, does it? That doesn't make any sense; it's an inequity, right?

Mr. Jean-François Morin: It's a policy choice, Mr. Chair.

The Chair: Okay.

Mr. Nater is next, and then Mr. Bittle.

Mr. John Nater: Mr. Chair, I think it's just a fairness issue. If I as a candidate fail to file reports, I can't run as a candidate. I think it would be the same for a third party's responsible person. If he or she fails to file reports, he or she should also suffer similar consequences and be unable to run as a candidate as well.

The Chair: I think the Elections Canada person was saying that the official agents of parties one and two are not prohibited, so this would just prohibit party three and put the third party at a disadvantage, but not the first two parties.

Mr. Chris Bittle: I don't think we should be engaging in taking away someone's ability to run for elected office lightly. I don't think we really heard any evidence on this aspect, and I don't think this is something we should proceed with at this point.

The Chair: We're ready for the vote.

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 52 agreed to)

(Clause 53 agreed to)

(On clause 54)

The Chair: For clause 54, we have CPC-21.

Mrs. Stephanie Kusie: This is essentially that voter information cards are not an acceptable form of ID. We have just seen in the media this week examples of refugee claimants who received voter eligibility cards in the mail. If they were to not say anything, complete them and send them in, they would receive voter information cards and be on the electorate list.

We feel strongly that they should not be used as an acceptable form of identification in voting. I think that this example we just saw in the media provides great evidence of that. We don't know how many of the voter registration cards were issued at this time to persons who were not entitled to them. This is just one case and one example. It leaves us, as the opposition, to call into question the validity of the voter information cards as acceptable forms of identification.

The Chair: If I were a betting man, I would say the jury's not still out on this, but we'll go to Mr. Graham and Mr. Bittle.

Mr. David de Burgh Graham: I cannot think of a part of the Fair Elections Act that was more offensive than the restriction of the VIC as a voting identity.

The Chair: Mr. Bittle—

Mrs. Stephanie Kusie: I'm sorry; there's nothing more offensive than...?

Mr. David de Burgh Graham: Than what you want to put back in this thing. The—

Mrs. Stephanie Kusie: What would you say, then, to the example that just happened?

Mr. Chris Bittle: Again, at the end of the day, we're hearing it coming out, and it's shocking to hear that it's refugees, that the refugees could vote. We're afraid of this "other". We're carrying on this dog-whistle politics that seems to put itself into Conservative Party policy. Previously in the Conservative Party government, we heard from witness after witness that there is no case of voter fraud.

Who does this help? This helps my grandmother, who gets the card, puts a magnet on her fridge, goes with her voter card, goes with her health card, and goes to vote at the election day poll. Under your provision, she wouldn't be permitted, because we're afraid of this possibility, this Republican Party idea that there's voter fraud out there, that there's potential that refugees may be able to vote. There's no evidentiary basis apart from stirring up fear in the Canadian population.

We heard from witness after witness and we heard from Elections Canada. I can't support this.

The Chair: Go ahead, Stephanie.

Mrs. Stephanie Kusie: I think what Canadians are most worried about is the legitimacy of the electorate. A Canadian is a Canadian is a Canadian, but we must ensure that it is Canadians who have obtained this right to vote. This example, which was in the media this past week, specifically identifies a case of individuals who did not have the right to vote potentially ending up with these cards and being counted in the electorate when they are not a legitimate part of the electorate.

I believe that Canadians are just as concerned, if not more concerned, about maintaining the legitimacy of the electorate.

● (1855)

[*Translation*]

The Chair: Mr. Thériault, you have the floor.

Mr. Luc Thériault (Montcalm, BQ): Thank you for giving me the opportunity to speak, Mr. Chair.

I want to support the amendment presented by my Conservative colleague. I urge my colleague to be cautious, because his interpretation of the intent behind such an amendment seems to reflect what he is denouncing.

I will give the example of Quebec. We heard the same comments following the 1998 election, when there was a phenomenon of identity theft, what was called the $10 votes. As a result, there is now a requirement in that province to present photo ID.

According to Quebec's parliamentary tradition, the electoral law cannot be changed if there is no consensus. It isn't even changed by a vote, as was mentioned earlier; there must be a consensus.

We had to go to court as a result of this phenomenon. I invite my colleague to read the Berardinucci decision. The latter had appealed, but the Superior Court of Quebec ruled in favour of the plaintiffs. So there was an organized system of identity theft when there was no obligation to show a voter card with a photo.

At the federal level, I was pleased to see that voters could show several documents to the scrutineer to be able to vote. If it was as restrictive as the current system in Quebec, where showing photo identification is mandatory, I might be able to understand that people would rant and rave about it, and say that this would prevent people from voting. In Quebec, it's just the way things are. Before even being asked, people present photo ID and don't feel mistreated or anything.

The legitimacy of the electoral process is fundamental. A voter card is something that can be duplicated. In Quebec, during a general election, people were able to pay others to assume the identities of other voters. People had the nerve to go to the same polling station and swear on the Bible that they had not already voted. It isn't just in Quebec that such a thing can happen.

I think the integrity of the electoral process is much more important. There are plenty of cards or documents that can be presented to vote in a federal election. The voter card is more of a reminder. It allows the election to take place in an orderly way, people find out where to go, and the vote is seamless.

If we allow the voter card to be used as a piece of identification, we open the door to the duplication of these cards by malicious people who know the electoral process, and by people elsewhere.

That's why I support the amendment. I urge my colleague to be cautious: we aren't here to stigmatize each other.

Thank you.

[*English*]

The Chair: Does the PCO have any comments on this issue?

[*Translation*]

Mr. Jean-François Morin: Indeed, the Quebec Election Act contains an obligation to present photo identification; only five pieces of identification are permitted. However, there is a major difference between the Quebec and federal systems: in Quebec, voters only need to prove their identity, while in the federal system, voters need to prove their identity and place of residence. That's why many more pieces of ID are authorized for federal elections.

[*English*]

The Chair: The voter card isn't the only thing in the federal election.

Mr. Jean-François Morin: No, of course. Bill C-76 would lift the prohibition on identifying the voter information card as one of the potential pieces of identification that can be used, but if these amendments are passed, someone presenting himself or herself with a voter information card at a poll will always have to show at least a second piece of identification to prove his or her identity.

● (1900)

The Chair: Thank you.

Go ahead, Mr. Graham.

[*Translation*]

Mr. David de Burgh Graham: There is no free federal document that proves both the identity and address of a person. The bill requires that proof of address and identification be presented separately; both are required.

I don't agree with any of your remarks.

I will read to you what Elections Canada posted on Twitter this week.

[*English*]

"Recently, people have been sharing inaccurate information about voter registration and ID. We'd like to clear the record."

This is from Elections Canada directly.

"Elections Canada mails voter registration letters to potential electors. ... These letters say the recipient is not registered to vote. They invite the recipient to register "if" they are a Canadian citizen and at least 18 years of age.

"Voter registration letters for potential electors are not the same thing as voter information cards. ... Voter information cards are cards we send at election time to registered voters only.

"When a potential elector goes to register themselves, they must sign a statement to the effect that they are a Canadian citizen, aged 18 years older.

"The voter information card is not currently accepted as ID. At no time have electors been allowed to vote by showing a voter information card as their only piece of ID.

"Bill C-76, currently before Parliament, would allow the voter information card to be used as a proof of address. Elections Canada would not accept the voter information card alone—it would have to be shown with another accepted piece of ID that proves their identity."

A voter information card provides access to proof of address. That's all it provides, and that is a very important point.

Thank you.

The Chair: Is there any further discussion?

Mr. John Nater: I'd like a recorded vote.

The Chair: We'll have a recorded vote on CPC-21.

(Amendment negatived: nays 6; yeas 3 [*See Minutes of Proceedings*])

(Clause 54 agreed to on division)

(Clause 55 agreed to)

The Chair: There was an amendment to propose a clause 55.1, but it was a casualty of amendment NDP-1, so that disappears. There are no amendments on clauses 56 to 60.

(Clauses 56 to 60 inclusive agreed to)

The Chair: There was a new clause 60.1, but it was also a casualty of NDP-7.

Mr. Nathan Cullen: There are so many casualties. War is brutal, Chair.

The Chair: We'll move on.

On clause 61, we have CPC-22.

Mrs. Stephanie Kusie: Chair, wasn't this meeting scheduled till 7:00?

The Chair: Oh, yes, you're right.

Mr. David de Burgh Graham: No, Stephanie, we're on a roll.

The Chair: Okay. Do you want to stop now?

Mr. Nathan Cullen: Yes.

The Chair: Okay.

Thank you, everyone, for making good progress, with a good attitude and good help. Thank you to the officials for helping us, for being here. We'll see you tomorrow at 9:00 a.m., and we'll be in room 112 north.

Do I need to say anything else?

The meeting is adjourned.

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